

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

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|-------------------|---|---------------------|
| ASSATA ACEY, | : | |
| | : | |
| <i>Plaintiff</i> | : | CIVIL ACTION |
| v. | : | |
| | : | |
| | : | |
| INDUCTEV, | : | |
| | : | |
| <i>Defendant.</i> | : | |
| | : | |
| | : | No. 2:23-01438-GEKP |

Third Brief in Support of Doc 15. (Plaintiff’s Response to Defendant’s Motion to Dismiss)

As the Plaintiff, I am presenting this brief to provide additional discovery-acquired evidence to support my claims of discrimination- in hopes that this can provide additional understanding to the disputed facts of this case and expedite judgement.

To that end, I am presenting various transcripts that have been reconstructed from the defendant’s discovery production (these production files have been submitted with my labelling in the beginning of each title and the Defendant’s original title/numbering at the end. I believe these transcripts are largely admissible as a) statements made by the opposing party and/or b) excited utterances shared from myself to my supervisor, c) timely accounts.

These transcripts have been broken into four general topics of relevance (gender/sexual discrimination, racial discrimination, sexual and racial discrimination, and disability discrimination), and depict the

company culture towards racial and sexual bias, the COAs refusal to address said culture, and the accuracy of my complaint allegations.

The following 7 pages are an abbreviated list of these 74 transcripts:

- I. Transcripts Concerning Sexual Discrimination (13 Transcripts, Complaint Counts X-XII, XVII-XX)
 1. 07/16/2021 Excited utterance (made by myself) and reputation concerning character statements (from my supervisor) about sexual undertones in (then principal engineer-- now Electrical Engineering Manager) Bogdan Proca's behavior. (Ex. 1-10) references ECF 8-1(¶25, ¶180-183), ECF-15 ¶79.
 2. 07/19/2021 Excited utterance and recorded recollection from myself to my supervisor (Joren Wendschuh) regarding sexual undertones in Bogdan Proca's behavior. (exhibits 11-13) references ECF 8-1 (¶25(a)-(b)), ¶184), ECF 15 (¶79)
 3. 07/28/2021 Excited utterance from myself to my supervisor about escalated concerns about Bogdan Proca's sexual behavior. (Ex. 14-17). References ECF 8-1 (¶25(c), ¶184), ECF 15 (¶79)
 4. 09/09/2021 Present sense impression from myself to my supervisor about gender concerns towards Ron Turi (exhibit 18). References ECF 8-1 (¶ 175)
 5. 10/08/2021 Excited utterance and present sense impression from myself to my supervisor about sexual harassment from Ron Turi's former assistant (Volans) (Ex. 19-50). References: Ex.842, ECF 15-51, Doc. 15 (¶79) ECF 8-1(¶28, ¶175)
 6. 10/15/2021 Excited utterance and present sense impression from myself to my supervisor about Bogdan Proca's a retaliatory/unwanted behavior (Ex. 51-62) References: Doc 15 (¶79), 8-1 (¶28))
 7. 10/21/2021 Adverse party statement made by my supervisor in concern for how I felt around PCB Engineer Mike Russell. Exhibit 63 references: Doc 15 (¶79), 8-1 (¶28))
 8. 10/21/2021 Adverse party statement made by my supervisor apologizing for sexually inappropriate comment made at work. Ex. 64-67 References Doc 15 (¶79) and 8-1 (¶ 175)
 9. 10/29/2021 Present sense impression (from myself) and reputation concerning character (from my supervisor) about John Wolgemuth's character, adverse behavior, and lack of eye contact towards me. Ex. 68-74. References: ECF 15 (¶79), ECF 8-1 (¶28, ¶175)
 10. 11/16/2021 Present sense impression and excited utterance from myself to my supervisor about the sexually charged statements overheard from the electrical engineering team. Ex. 75-86. References: ECF 8-1 (¶28, ¶175), ECF 15 (¶79), ECF 15-52, ECF 15-53.
 11. 12/07/2021 Excited utterance from myself to my supervisor about unwanted touch from Mike Russell, who had tapped on my shoulder while grazing past me from behind in a standard-size walkway exhibit 87-96. References: ECF 8-1 (¶28, ¶175), ECF 15 (¶79), ECF 15-52, ECF 15-53.
 12. 04/05/2022 Present sense impression from myself to my supervisor about antagonistic behavior from our male mechanical buyer, Harry Nask, and the extra work steps to get around it. Ex. 97-121. References: ECF 8-1 (¶11, ¶28, ¶175) Doc 15 (¶ 79-80, ¶83)

13. 04/7/2022 Present sense impression and excited utterance from myself to my supervisor about sexual behavior of engineer "Gary". Ex.122-127. References: ECF 8-1(¶28, ¶75) Doc 15 (¶79).

II. Transcripts Concerning Race Discrimination (33 Transcripts, Complaint Counts I-IX, XVII-XX)

1. 06/22/2021 Attempts to remain polite and apologetic with HR staffer (Now Head of HR), Diana Wilmes. (Ex. 128-129) References: ECF 8-1 (¶25, ¶105, ¶121(a)).
2. 06/25/2021 Collection of messages, and adverse party statements of how HR escalated and communicated my first missed meeting (due to technician duties). Ex. 130-135 References: ECF 8-1 (¶25, ¶105, ¶121(a)).
3. 07/07/2021 Excited utterance, present sense impression and recorded recollection from myself to my supervisor about negative and seemingly derogatory comments from my coworkers (Ex. 764-765). References: 8-1 (¶ 5-6, 10, 105, 121(b)), ECF 15-36, ECF 15-37.
4. 07/08/2021 Attempts to remain polite and courteous with HR staffer (Now Head of HR), Diana Wilmes and confirm meetings ahead of time (Ex. 136-138). References: ECF 8-1 (¶25, ¶105, ¶121(a)).
5. 07/14/2021 Attempts to remain polite and courteous with HR staffer (Now Head of HR), Diana Wilmes and communicate health-related early departure (Ex. 139-145). References: ECF 8-1 (¶25, ¶105, ¶121(a)), ECF 15-38.
6. 07/19/2021 Recorded recollection from myself to my supervisor regarding technological barriers to timesheet submission (due the previous day) and continued attempts to remain polite, apologetic, and direct with Diana Wilmes (Ex. 146-153). References: ECF 8-1 (¶25, ¶105, ¶121(a)), ECF 15-39.
7. 07/27/2021 Adverse Party statements from Diana to me blaming me for tardiness to a meeting I never received an invite for (Ex. 154-167). References: ECF 8-1 (¶25, ¶105, ¶121(a)), ECF 15-40, ECF 15-41.
8. 07/28/2021 Attempts to remain polite and courteous with Diana Wilmes, present sense impression, recorded recollection and excited utterance of her unknown complaints of my attendance to meetings (which were subsequently brought to my supervisor) (Ex. 168-182). References: ECF 8-1 (¶25, ¶105, ¶121(a)), ECF 15-42, ECF15-45.
9. 08/09/2021 Recorded recollection from myself to my supervisor regarding statements made about Julian Jackson (now- laid off black male warehouse associate) by his direct supervisor (Taylor Johnson) (Ex. 183). References: ECF 8-1 (¶110-111, ¶121, ¶123).
10. 09/16/2021 Attempts to remain polite and courteous with Diana Wilmes, and adverse party statements showing her ability to contact me when she is not complaining about me/my attendance (Ex, 184-193) References: ECF 8-1 (¶25, ¶105, ¶121(a)).
11. 10/08/2021 Excited utterance of myself and my supervisor and his adverse party statements about coworker's safety accusations made against me in spite of my use of visual and verbal cues (at the time in question) (Ex. 766-778). References: ECF 8-1 (¶5, ¶48-50, ¶110-111), Doc 15 (¶77)
12. 10/20/2021 Present sense impression and excited utterance/complaint from myself to my supervisor about Julian Jackson's statements to me on Jackson's access to his own work assignments (Ex. 194-199). References: ECF 8-1 (¶110-111, ¶121(b), ¶123).

13. 10/21/2021 excited utterance/complaint from myself to my supervisor and my supervisor's adverse party statements about Julian Jackson's access to his own work assignments (Ex. 200-207). References: ECF 8-1 (¶110-111, ¶121(b), ¶123).
14. 10/25/2021 Excited utterance and present sense impression from myself to my supervisor about adverse statements made about the nature of Jackson's work, and about CAOs public and implicit accusations of my stealing time (Ex. 208-225). Supporting Ex: 130-135 References: ECF 8-1 (¶110-111, ¶121((a)-(b)), ¶123)
15. 11/09/2021 Present sense impression and excited utterance/complaint from myself to my supervisor about Julian Jackson's statements to me on why his seating was changed and my supervisor's adverse party statements regarding same (Ex. 779-789). References: ECF 8-1 (¶110-111, ¶121(b), ¶123).
16. 11/17/2021 Present sense impression and excited utterance and recorded recollection from myself to my supervisor about the demeanor of two white, new, mechanical team coworkers and my referring to one of them (Tom Hornberger, senior R&D technician through July 2022) as "mustacio guy/mustache man" (Ex. 226-237). References: ECF 8-1 (¶39-40, ¶120), Doc. 15 (¶77).
17. 12/13/2021 Excited utterance, present sense impression from myself to my supervisor and his adverse party statement regarding the presence and nature of a cartoon pinned onto my cubicle's outer wall (Ex 802-807). References: ECF 8-1 (¶39-41, ¶121(d), ¶124-128, ECF 15-34, ECF 15-35, Doc 15(¶77-78).
18. 01/15/2022 Excited utterance from myself to my supervisor of my interest in and reasoning behind black history movie recommendations that I presented to CAO (Ex. 238-239). References: Ex. 843, ECF 8-1 (¶39-40, ¶120), Doc. 15 (¶77).
19. 01/16/2022 Continued excited utterance from myself to my supervisor of my interest in and reasoning behind black history movie recommendations that I presented to CAO and record of the coaching, active formatting and consideration that went into it (Ex. 240-252). References: ECF 8-1 (¶39-40, ¶120), Doc. 15 (¶77).
20. 01/25/2022 Present sense impression and excited utterance from myself to my supervisor about Tom Hornberger (senior R&D technician through July 2022, aka "mustacio guy/mustache man") passionately calling Julian Jackson (black warehouse associate) lazy (Ex. 253-256). Supporting exhibits (Ex. 226-237). References: ECF 8-1 (¶39-40, ¶120, ¶123(b)), Doc. 15 (¶77).
21. 01/28/2022 Present sense impression and excited utterance from myself to my supervisor about a white (Brian Kenny) who used me to access the building, held the door open for a white woman, and then allowed the door to slam in my face, leaving me to carry the team's refreshments on my own (Ex. 257-283). References: ECF 8-1(¶39-40(c),96, 110-111), Doc 15(¶77-78).
22. 02/04/2022 Recorded recollection from myself to my supervisor of a discussion I had the previous Tuesday with my supervisor about the feasibility of the current workplace culture, and my personal goals (Ex. 284). References: ECF 8-1(¶120-122), Doc 15 (¶77).
23. 02/05/2022- 02/07/2022 Collection of messages from myself to my supervisor drafting the racial education movie list (Ex. 285-289). References: Ex.843, ECF 8-1 (¶39-40, ¶95).
24. 02/10/2022 Present sense impression from myself to my supervisor of my qualification and sourcing of PPE for the UV Consultation assigned to me AND Adverse party statement

- of my supervisor regarding the CAOs continued interest in meeting about my movie list (Exhibits 290-291, 295-302). References: ECF 8-1(¶3, ¶6, ¶32-37, ¶44-46, ¶120-121(b-d), ¶124-129, ¶134-163), Doc 15 (¶77-78, ¶82-83), ECF 15-61, ECF15-62, Doc 20 (¶8-49), ECF 20-5 to 20-16, ECF 20-21.
25. 02/10/2022 Adverse party statements of Judy Talis (former CAO) setting a time for her requested meeting (Ex. 292-294). References: ECF 8-1(¶39-41, ¶96, ¶98, ¶103), Doc 15(¶77-78), ECF 15-46.
 26. 02/10/2022 Present sense impression from myself to my supervisor regarding content discussed with CAO and the resolutions she disclosed to me (Ex. 303-305). References: ECF 8-1 (¶5-6, ¶39-41), Doc 15 (¶77-78), ECF 15-47.
 27. 02/11/2022 Present sense impression and excited utterances from myself to my supervisor of the nature of why I needed to work from home as well as CAOs request to follow up on our discussion of racial harassment and her subsequent sexually inappropriate behavior (Ex. 306-316). References: ECF 8-1 (¶33-43), Doc 15 (¶77-80), ECF 15-48, ECF 15-54.
 28. 02/11/2022 Present sense impression, excited utterance and adverse party statements between my supervisor and Diana Wilmes regarding white technician Steve Brown's interest in my attendance and the possibility of negative rumors being spread about me (Ex. 790-791). Supporting exhibits: Ex. 844-849. References: ECF-8-1 (¶110-111, ¶121(b), ¶123), Doc 15 (¶77-78).
 29. 02/11/2022 Adverse Party Statement from CAO to me requesting a follow up on our meeting about my racial experiences at work (Ex. 308). References: ECF 8-1(¶42-43), Doc 15 (¶77-78).
 30. 02/15/2022 Adverse party statements between CAO and my supervisor about meeting to discuss the racial experiences I shared in my meeting with CAO (Ex. 317-318). References: ECF 8-1 (¶40(b), ¶42, ¶96-103), Doc 15 (¶77-78), ECF 15-49.
 31. 02/15/2022 Excited utterance from myself to my supervisor about CAO's prior response to my shared racial experiences and his adverse party statement and present sense impression about CAO's interest in following up with him about these things (in addition to project management duties for a team deliverable) (Ex.319-336). References: ECF 8-1 (¶42, ¶96-103, ¶134-163), Doc 15 (¶77-78), ECF 15-62-15-63, Doc 20 (¶8-49), ECF 20-5 to 20-16, ECF 20-21.
 32. 02/18/2022 Present sense impression from my supervisor to me regarding his attempts at addressing a coworker (Jorge Rive) from a separate team who had insisted on my accounting for my work time despite my explicit discomfort (Ex. 794-801). References: ECF 8-1(¶5-6, ¶40(b), ¶121(b), ¶124-128), Doc 15 (¶77-78).
 33. 02/24/2022 Present sense impression from myself to my supervisor about Jorge Rive (principal engineers)'s unresolved tension towards and discussion of me to coworkers after being confronted by my supervisor. Ex.337-347 References: References: ECF 8-1(¶5-6, ¶40(b), ¶121(b), ¶124-128), Doc 15 (¶77-78).

III. Transcripts Concerning Racial and Sexual Discrimination (19 Transcripts, **Complaint Counts I-XII, XVIII-XX**)

1. 08/09/2021-08/10/2021 Adverse party statement from my supervisor to me about my assigned supervision of a white male field technician (Chris Schatz) and excited utterance

- and present sense impression of myself to my supervisor about my white coworkers' (Rob Rosenberg and Taylor Johnson's) opposition to/criticism of same (Ex. 348-363).
References: ECF 8-1(5-6, 10-13, 121(b-d), 124-128), Doc 15 (77-78), ECF 15-43, ECF 15-44.
2. 08/17/2021 Excited utterance and present sense impression from myself to my supervisor about the inappropriate and condescending behavior of a white male Quality engineer, Robert Sweirzawski (aka Rob S or "Bob") during his inspection of my competed electrical cabinets (Ex. 364-366). References: ECF 8-1 (¶14-18, 120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 3. 08/30/2021 Present sense impression and excited utterance from myself to my supervisor about how Rob S' omitted my and a female engineer's notes his final report on a quality issue that we escalated, diminishing our involvement while referring to us as ladies (Ex. 367-370). References: ECF 8-1 (¶14-18, 120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 4. 10/07/2021 Present sense impression from myself to my supervisor of Rob Rosenberger's criticism of the nature and scope of my work (Ex 371-372). References: 8-1(¶6-7, ¶10-13, ¶120-121(b-d), ¶124-129), Doc 15 (¶77-80),
 5. 10/22/2021 Present sense impression from myself to my supervisor regarding the status of tasks assigned to me at that moment (Ex. 374). References: ECF 8-1 (¶5-6 ¶32-37, ¶44, ¶136-164), Doc 15 (¶82-83), Doc 20 (¶8-49).
 6. 10/22/2021 Present sense impression from myself to Maria Tabbutt (female senior mechanical engineer) regarding Rob S's preparedness (relative to Brenda Randolph, QA technician and the only other black woman employee) for his Quality inspection of my completed cabinets (Ex. 375-377). References: ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 7. 10/22/2021 Adverse party statement from Quality Manager Joe Sokalski acknowledging my authoring of a report for quality escalation, as well as my submission of same report to the QA team and my supervisor. References: ECF 8-1(¶3, ¶6, ¶32-37, ¶134-163), Doc 15 (¶82-83), ECF 15-61, ECF 15-62, Doc 20 (¶8-49), ECF 20-5 to 20-16, ECF 20-21. Prior escalations: Ex. 850-855.
 8. 10/25/2021 Present sense impression from myself to my supervisor of the former QA manager (Joseph Sokalski) assigning flow assembly compliance to Rob S. (Ex 378-379). References: ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 9. 10/28/2021 Present sense impression from myself to my supervisor about the difficulty and time we spent together correcting the misassembled assemblies for completion of an in-demand enclosure (Ex. 380-381). References: ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 10. 11/16/2021 Present sense impression and recorded recollection from myself to my supervisor about the concern for and investigation of the integrity of QA checks due to unexplained changes found on cabinets that I had already submitted for inspection (Ex 382-388). ECF 8-1 (¶18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 11. 11/16/2021 Excited utterance and present sense impression from myself to my supervisor about sexually inappropriate comments overheard in the main office section (which is generally male only) and additional follow up on repairing cabinet damage and sourcing

- tamper seals to prevent coworkers from damaging my cabinets (Ex. 389-429). References: Ex.856, ECF 8-1 (¶18, ¶27-28 ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
12. 11/18/2021 Present sense impression from myself to my supervisor about conflict with Rosenberger concerning use of the lab lift and the continued resolution to source and purchase one for the PIT team (Ex 430-445). References: ECF 8-1 (¶4-6, ¶10-13, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 13. 11/18/2021 Present sense impression and excited utterance from myself to my supervisor of Rob S' passing of assemblies that are outside of Maria Tabbutt (the lead mechanical engineer for this unit)'s specifications and willful obstruction of the passing of my cabinet builds (Ex. 446-461). References: Ex. 857, ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 14. 12/14/2021 Excited utterance. recorded recollection and present sense impression from myself to my supervisor regarding the antagonistic behavior of Rob S AND sexual harassment/coping concerns about Rob S, Taylor Johnson, and Daniel Winters (then-Supply chain manager) expecting me to do additional cleaning instead of Rob Rosenberger on a cabinet he was responsible for (Ex. 462-538). References: ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 15. 03/02/2022 Excited utterance and present sense impression from myself to my supervisor about internal stress and barriers caused by the racial and gender harassment I experienced at work AND his adverse party statement of sending emails to the supply team through him to cope with some of these issues (Ex 808-826). References: ECF 8-1 (¶121, ¶124-129, ¶175-176), Doc 15(¶77-80).
 16. 03/22/2021 Excited utterance and recorded recollection from myself to my supervisor about Rosenberg removing my assigned tools from my workstation (Ex. 539-541). References: ECF 8-1 (¶4-6, ¶10-13, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 17. 04/01/2022 Excited utterance and present sense impression from myself to my supervisor about Rosenberg's opposition to the team's newly purchased lift and inappropriate statement he made to others about me (Ex. 542-548). References: ECF 8-1 (¶4-6, ¶10-13, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 18. 04/07/2022 Present sense impression from myself to my supervisor of seeing Rob S tampering with one of my builds before an inspection (Ex. 549-554). References: ECF 8-1 (¶4-6, ¶14-23, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).
 19. 04/21/2022 Present sense impression and excited utterance from myself to my supervisor about Rosenberg (white coworker) criticizing the PPE I qualified and ordered to my white male team member (technician, Brian Kenny) while refusing to acknowledge me (Ex. 555-570). References: ECF 8-1 (¶4-6, ¶10-13, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).

IV. Transcripts Concerning Disability Discrimination (9 Transcripts, Complaint Counts XIII-XX)

1. 03/28/2022 Excited utterance from myself to my supervisor about frustrations between my emerging disability, the noncooperation of my coworkers, and meeting the needs of the company (Ex. 571-575). References: (ECF 8-1(¶44, ¶111-112, ¶115, ¶128, ¶175-176) Doc 15 (¶77-80). Supporting exhibits: Ex. 858.

2. 4/05/2022 Present sense impression and excited utterance from myself to my supervisor about the progression of my illness and scheduling of different doctor's appointments (Ex. 576-602). References: ECF 8-1(¶44) Supporting exhibits: Ex. 858.
3. 04/08/2022 Present sense impression from myself to my supervisor about continuing in-person duties, the progression of my illness, and dissatisfaction with the misclassification of my role (Ex. 603-622). References: Ex.859-860, ECF 8-1(¶3, ¶6, ¶32-37, ¶44, ¶136-164), Doc 15 (¶82-84), ECF 15-59-ECF 15-63, Doc 20 (¶8-49).
4. 04/11/2022 Present sense impression from myself to my supervisor about the medical investigation of my illness and plans to work from home (Ex. 625-628). Supporting exhibits: Ex 861. References: ECF 8-1(¶44).
5. 04/18/2022 Present sense impression from myself to my supervisor about my choice to approach CAO for unpaid time off so that I can go to the doctor and complete my work without overexertion, and my impression of her as predatory (Ex. 629-714). References: Ex. 862, ECF 8-1 (¶44-50, ¶234-236), Doc 15 (¶81).
6. 04/18/2022 Present sense impression from myself to my supervisor of CAO's declination to give written responses to my concerns and my personal conflict with the company's culture towards me, AND reputation concerning character and adverse party statements by my supervisor on the predatory intention of CAO's behavior (Ex. 665-682). References: Ex.863, ECF 8-1 (¶45-50, ¶128, ¶234-236), Doc 15 (¶81).
7. 04/18/2022 Excited utterance, present sense impression from myself to my supervisor about the CAO's in-person statements granting me accommodations and support for my illness, in addition to plans and concerns for others who may need accommodations but are being misled or discouraged by CAO (Ex.693-714). References: Ex.864, ECF 8-1(¶51-52, ¶230-233).
8. 04/22/2022 Present sense impression of my attempts to document the CAO's abrupt withdrawal of accommodations for me while navigating the resulting demand that push through to make 40 hours in addition to doctor's visits and the progression of my illness (Ex. 731-761). Supporting exhibits: Ex.827-841, 865-871, 876. References: ECF 8-1(¶44-45, ¶53-57, ¶229-237)
9. 04/25/2022 Excited utterance from myself to my supervisor about the stark difference in the accommodation requested by my doctor from the activities and strain I had felt pressured to continue or even from the unpaid PTO I had requested (Ex.762). References: Ex. 872-875, ECF 8-1(¶44-45, ¶53-57, ¶229-237),

If these are insufficient, I can peruse the evidence for more conversations, however, the nature of this production (one pdf per message, 18000 files with no particular grouping) requires me to go through my own memories of conversations to find conversations to reverse search in order to piece together these experiences. The process of preparing more evidence of this is understandably a gross recipe for PTSD and would require more time.

These things considered, it should also be of note that the defense has severely hindered my attempts to seize and organize documentation of my experiences at InductEV (please see Ex. 877 and inquire if further verification is needed). In their production, images have been produced separately from their relevant messages and or rendered in a corrupt or empty file format, messages have been provided as one pdf per message resulting in over 18,000 pdfs that were initially scrambled regarding time or subject, AND correspondence from my account to certain coworkers (Sam Gallagher and Christina (“Tina”) DeBarberie) have been omitted from the Defendant’s production) (please see Ex. 877).

Conclusion

These transcripts display the harsh contradiction of the Defendant’s production: the transcripts depict how I had complained numerous times to my supervisor, who occasionally (either thorough his own escalation or HR’s request) discussed these issues with HR; whereas the Defendant’s production (given clear discovery requirements) is devoid of any notes made by Judy Talis regarding complaints made by or for me.

The preceding details produce that either Judy Talis made no such notes, or these notes were knowingly withheld or unmentioned by the opposing party.

The knowledge of this contradiction brings new meaning to Talis’s words on 05/02/2022, where in response to my concerns of retaliation, Talis wrote “I do not believe that you have, at any time, complained about your role as a full-time employee” (Ex. 868 (p.2, second to last paragraph)). It is no coincidence that the preceding quote echoed Talis’ narrative from 02/14/2022 that I had made no complaints about “specific individuals or incidents” regarding racial harassment at work (ECF 15-50 (bottom half of page 1)).

Throughout my time working for InductEV and throughout every leg leading to this case, the Defendant has crafted and weaponized a feigned ignorance of harm caused and used that to excuse their acts of administrative impedance, their trivialization of harm (suffered during employment and wrongful

termination), and caricaturizing of my complaint counts as mistaken or maliciously contrived.

This is especially true where their motion to dismiss and related responses have continuously claimed insufficient facts—while the defendants knowingly delayed the production and processing of critical evidence-Teams messages and emails- that I had asked for to substantiate my claims.

Prayer for Relief

I am asking that the court consider this document along with preceding Documents 15 and 20, along with all their citations to the case record and issue a summary judgement against InductEV in my favor, as requested in my initial complaint (ECF 8-1) and motion for Summary Judgement (Doc 5).

Sincerely,

/s/ Assata Acey Hackman

Assata Acey (Pro Se)

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770-231-1017

Date: 01/30/2024

Transcripts begin Below

I. Transcripts Concerning Sexual Discrimination (13 Transcripts, **Complaint Counts X-XII, XVII-XX)**

- 1. 07/16/2021 Excited utterance (made by myself) and reputation concerning character statements (from my supervisor) about sexual undertones in (then principal engineer--now Electrical Engineering Manager) Bogdan Proca's behavior (Ex. 1-10). References ECF 8-1(¶25, ¶180-183), ECF-15 (¶179).**

2:58:17 PM Assata: Peripherally, Bogden does creep me out a bit. There've been other one time comments made by others in poor taste, but its giving a different gut feeling(that could still be wrong) I will stay tuned to see if it becomes a pattern or if it plateaus out.

3:00:31 PM Joren: Agree on the creep part, but if it's ever malicious or an issue, please feel free to talk to me, and / or HR.

3:05:47 PM Assata: I won't lie, the question/comments during harassment training about whether its ok to date a subordinate and how "natural" it is has me on edge. Or asking during icecream if I still run track and then getting curt that I didn't have the expected answer? Will keep you posted.

3:13:07 PM Joren: You were in training with him?

3:14:06 PM Assata: yes, I had training with Him, Fran, Chris and Brenda since its once a month

3:14:10 PM Joren: That's kind of concerning...

3:15:48 PM Assata: I don't know if Judy noticed the direction of his comments in training. He and Fran had the most resistance to training, but I think Fran's was more politically inclined, and he seems to have no vendetta to treat anyone weird.

3:16:27 PM Assata: He's just on my radar as possibly extra creepy. But wanted to give a heads up in case I notice a pattern later

3:17:59 PM Joren: Thanks for letting me know. Please feel welcome to continue bringing this up if it continues, that's unacceptable, and not going to be stood for.

4:27:15 PM Joren: Please note -I am taking this information very seriously. Please do not hesitate to reach out to me if anything further comes up, no matter how small. You matter as a person, and by default, deserve to be in an environment where you are able to focus on work without having other things distracting you, let alone anything further. Also please certainly let me know if there is any way / any thing I, or others, can do to assist.

2. 07/19/2021 Excited utterance and recorded recollection from myself to my supervisor (Joren Wendschuh) regarding sexual undertones in Bogdan Proca's behavior. (Exhibits 11-13). References ECF 8-1 (¶25(a)-(b)), ¶184), ECF 15 (¶79).

9:06:05 PM Assata: ok retyping... On my way home friday, I mentally flagged another statement that I had blocked out. During icecream, i had asked chis what flavor he got, to which he said "chocolate. I'm a simple man." I then turned and asked the folks behind and to the left of us what flavor they got/was it the same. Bogdan who was closest, responded that he was getting "dark chocolate, if they have it." before proceeding into his track questions. Im not sure about the statement, when chris subsequently went in I [assumed] it was the sun, and it may have been. But I've also never hear anyone order dark choc[o]late ice cream. Regardless, after a full weekend, I definitely feel like there isnt too much overlap where ill have to seen Bogdan often. I'm probabl[y] going to politely avoid him

1:22:39 PM Joren: Assata Acey - Want to be clear here - is there anything you are asking / wanting me to do with the information about Bogden?

1:37:54 PM Assata: To be clear, not really. I'm just keeping an open log as things occur so that 1. You know of the situation, behind the scenes- which lowers stress of explaining wanting to avoid being around him too much and further lowers the unlikely chance of you accidentally place us together[or insert awkward or otherwise avoidable exchange here] unless important. 2. If it gets to be a pattern/ Or a bigger issue, you will know. 3. If it becomes a pattern and I'm too confused to figure that out, theres another set of eyes. The message this morning was me wanting to

make sure I expressed all of what from yester-workday(friday). My current status with interactions is to avoid, since I dont interact with him often. Although I have caught him staring a bit., and watching me during my morning chat with Tina? Honestly hes getting close but not quite an issue yet, and idk what time frame is best for these updates(weekly or not) and I'm hoping he stops. But also if he says anything else[blatantly] weird, then I'd probably raise a flag jic

3. 07/28/2021 Excited utterance from myself to my supervisor about escalated concerns about Bogdan Proca's sexual behavior.

(Ex. 14-17). References ECF 8-1 (¶25(c), ¶184), ECF 15 (¶79).

[*Preceding Messages not Produced*]

5:57:02 PM Assata: Yw! I knew what you meant but others may not. In other stories, Bogdan heard me singing in back [o[f lab and walked across stuff/around table to me and asked if we were the last two people in the building... I just kept walking and pointed him towards the gold car person he asked me to take him there but eventually found the door. Probably benign but jic

5:59:45 PM Joren: Understood. Thanks. Gold car person == Ron Turi! [shrunk image]

6:02:27 PM Joren: You're out of the building, right?

6:02:32 PM Assata: Yes

4. 09/09/2021 Present sense impression from myself to my supervisor about gender concerns towards Ron Turi

(Exhibit 18). References ECF 8-1 (¶ 175).

5:22:35 PM Assata: Jerry doesn't seem to want me alone with Ron... idk whag that's about

5. 10/08/2021 Excited utterance and present sense impression from myself to my supervisor about sexual harassment from Ron Turi's former assistant (Volans)

(Ex. 19-50). References: Ex.842, ECF 15-51, Doc. 15 (¶79) ECF 8-1(¶28, ¶175)

3:39:14 PM Assata: Cat person keeps buying stuff and not asking me first

3:39:29 PM Assata: I just explained how weird it was and demanded their venmo

3:40:05 PM Assata: Also twice have been asked if I'm sick and why I'm covered with jacket etc

3:40:37 PM Assata: This is strange but also uncomfortable be halftime if I'm not cold the jacket is to cover my shoulders et c

3:40:41 PM Assata: A mess

3:50:32 PM Joren: Oh no.

3:50:35 PM Joren: Who's cat?

3:50:43 PM Assata: Car

3:50:46 PM Assata: Sorry

3:50:57 PM Joren: Ron's friend?

3:51:06 PM Assata: Yeth

3:51:24 PM Joren: WTF?

3:51:32 PM Assata: Same?

3:52:01 PM Joren: Random dude is buying you stuff and gifting you it? You don't want a "owe" feeling, so you want to pay them back?

3:52:02 PM Assata: To their credit they only asked about jacket once

3:52:30 PM Joren: Any examples?

3:52:34 PM Assata: Julian mentioned earlier so I was saying twice but it's also October

3:53:15 PM Joren: it is "normal" here, to be asked if you're cold, sorry Usually it's meant with

care.

3:53:20 PM Assata: He ordered those insert clips that go in the car, printed out a how to sheets and when I didn't give number he wrote out he link and left it in the cabinet

3:53:23 PM Joren: Examples of buying you stuff

3:53:43 PM Joren: hmm. wtf.

3:53:51 PM Joren: I'll have a conversation with Ron. Thanks.

3:53:56 PM Assata: Then gave me clips and info to return what i didn't use

3:54:34 PM Assata: Then today after asking if I was gonna buy the plastic covers and me saying no be it's not that damaged he went and told me he'd ordered those and what that cost and shipping was

3:55:15 PM Assata: And refused to let me Venmo him u til "we" installed In case it didn't fit be they would take "full responsibility" if it didn't work

3:56:37 PM Assata: And like Joren, being nice is one thing, doing research, meh, ordering and giving me parts to use Pushing it, asking for my number to share a how to video.....leaving me a written note in cabinet for the link.....ordering more stuff after I said I didn't need to go through trouble and not letting me Pa[y] for it...

3:57:11 PM Assata: And THEN Comme ting on something covering me and Nanking ofthags why I'm covered when I'm already uncomfortable

3:59:13 PM Assata: I really don't want to hurt their feelings but they're also a grown adult

3:59:32 PM Joren: Yes. I'm reaching out to Ron about this currently.

4:58:49 PM Joren: Assata, No need to read this until you're back at work (certainly no need to spend the weekend (mentally) on it). Hey, had a talk with Ron. He suggested two paths, please let me know which one you are OK with.

1 - chatting with Ron, himself, to have Ron better understand the details, so they can be addressed directly (I don't have any issue with sitting in if it makes you feel more comfortable)

2 - him addressing it with Volan, SP?

He would like to understand a bit more, and some of that's your story to tell, if you want to. I said I'd ask you. He committed to action on this. We can also bring it up through Judy if you want - or anything else. I'm open to other ideas / paths. Whatever you are comfortable with, please let me know. I told Ron I'd let him know what you are comfortable with.

4:59:04 PM Joren: I hope this is helpful. If not, please let me know.

6. 10/15/2021 Excited utterance and present sense impression from myself to my supervisor about Bogdan Proca's a retaliatory/unwanted behavior (Ex. 51-62) References: Doc 15 (¶79), 8-1 (¶28)).

8:38:48 AM Assata: Bogdan over here playing with my unfinished cabinet with a multimeter

8:39:08 AM Assata: Connecting stuff that isn't properly hooked up yet., already heard a popping sound

8:39:36 AM Assata: Also just moved my stuff to other side of cabinet to keep.wprkong and he decided to also move to that side someone come get this man

8:40:06 AM Assata: If anything is broken later I'd blame him., but I guess it's better than him playing with the finished cabinets

8:41:11 AM Assata: He just walked away.... after 5-7 minutes., mess

8:41:58 AM Joren: The 150 in the back?

8:42:05 AM Assata: Yes

8:42:31 AM Joren: Ugh. Thanks for letting me know.

8:43:06 AM Assata: He literally saw me move all my stuff and Shen went o the other side right where the seat was so I refused to sit until he left.. I have threads to check

8:44:15 AM Assata: On an emotional level I'm annoyed at his rudeness. On a professional level im.hoping he didn't damage anything

8:44:42 AM Joren: Double agree. I'm planning to talk with him once I'm out of this terrible meetin

8:49:18 AM Joren: I need a beer. Please let me know if he ever does that again, he's been told.

7. **10/21/2021 Adverse party statement made by my supervisor in concern for how I felt around PCB Engineer Mike Russell (Ex. 63). References: Doc 15 (¶79), ECF 8-1 (¶28)).**

9-46-36 AM Joren: Are you uncomfortable because Mike just came back?

8. **10/21/2021 Adverse party statement made by my supervisor apologizing for sexually inappropriate comment made at work. Ex. 64-67. References Doc 15 (¶79) and 8-1 (¶ 175).**

5:52:49 PM Assata: *unknown attachment*

5:54:13 PM Joren: Ah. Thank you for pointing that out, I appreciate it. Sorry for my bad taste, not my intent. I can see that looking back now.

5:54:28 PM Assata: No worries

5:55:32 PM Joren: Naw, you're right. It isn't right or appropriate. Thank you.

9. **10/29/2021 Present sense impression (from myself) and reputation concerning character (from my supervisor) about John Wolgemuth's character, adverse behavior, and lack of eye contact towards me. Ex. 68-74. References: ECF 15 (¶79), ECF 8-1 (¶28, ¶175).**

12:40:24 PM Assata: Lol John loves talking mess

12:43:54 PM Joren: Hard part is often they sound plausible, but are not correct. That's the part that bothers me.

12:46:25 PM Assata: at least he makes eye contact with you.

12:46:52 PM Assata: He managed to smile at me today..be I was carrying food

12:47:14 PM Joren: I've never seen a smile. Oof.

12:48:09 PM Assata: it was a subtle unfriendly smile. Right befor ehe decided to turn in front of me and walk slow motion while I was tring to get to conference room form my desk

12:48:27 PM Joren: Ugh. Yeah. *unknown item*

10. **11/16/2021 Present sense impression and excited utterance from myself to my supervisor about the sexually charged statements overheard from the electrical engineering team. Ex. 75-86. References: ECF 8-1 (¶28, ¶175), ECF 15 (¶79), ECF 15-52, ECF 15-53.**

10:14:26 AM Assata: Random ppl from work "she was fair, balancedI probably got more from that session..." it be weird

10:16:56 AM Joren: Oh gosh, what?

10:17:31 AM Joren: [Direct response to message from 8:04:48 AM] Awesome. I think we might need this downstairs, unless it is to be tested upstairs first. I think it would make sense to just test it downstairs.

10:17:51 AM Joren: [Direct response to message from 8:09:00 AM] Oy.

10:19:24 AM Joren: Thank you for your patience. Sorry to be delayed on this.

10:19:13 AM Joren: [Direct response to message from 8:17:36 AM] Check torque - great. - painted, great, seal, awesome. After it leaves our team, and has been approved by QA, that's no longer our problem. Not great, but we can only control what we can.

10:30:11 AM Assata: [Direct response to message from 10:16:56] stuff i overhear from your side

of the office

10:32:41 AM Joren: Oy. Not Cool.

10:37:32 AM Joren: Thank you for your patience with me this morning.

10:38:01 AM Assata: youre fine. Im going to shop for the tamper seals

10:40:55 AM Joren: Awesome, thank you.

10:41:20 AM Joren: Too much aggression here, wtf.

11. 12/7/2021 Excited utterance from myself to my supervisor about unwanted touch from Mike Russell, who had tapped on my shoulder while grazing past me from behind in a standard-size walkway exhibit 87-96. References: ECF 8-1 (¶28, ¶175), ECF 15 (¶79), ECF 15-52, ECF 15-53.

12:53:28 PM Assata: Not Mike Russell tappi NV my shoulde *unknown Emoji*

12:53:30 PM Assata: Mess

12:53:46 PM Assata: Hallway ain't that small

1:15:20 PM Assata If he touches me in rhough I will have to consider gutting with a dull spoon. But also I guess conspicuously and disconcertinglt discuss that I don't like being touched

1:27:57 PM Joren: Please help me understand the sentence above, so I can help.

1:29:10 PM Assata: I was saying if Mike touches me again I will be upset. But I will also express to him around witnesses in a way that can be insidiously uncomfortable for him that i don't like touch.

1:29:18 PM Assata: Be negative reinforcement

1:30:04 PM Assata: And be the third time I'd feel bad for myself to not snap..

1:30:08 PM Joren: Okay. Thank you for spelling it out.

1:30:13 PM Assata: Hoping he just doesn't at all

12. 04/5/2022 Present sense impression from myself to my supervisor about antagonistic behavior from our male mechanical buyer, Harry Nask, and the extra work steps to get around it. Ex. 97-121. References: ECF 8-1 (¶11, ¶28, ¶175) Doc 15 (¶ 79-80, ¶83)

10:13:53 AM Assata: One has slightly different screws idt Harry knew to give me the one that came early

10:14:31 AM Joren: Please show.

10:14:45 AM Joren: Should have been QTY 1 from Harry. QTY 3 from Julian yesterday

10:14:57 AM Joren: I saw 2 of the 3 personally yesterday from Julian

10:18:19 AM Joren: Hmm? Should not. I saw Julian holding 2, and he said he had 3, yesterday. He had said he was putting them directly on your desk.

10:20:05 AM Assata: Right I. Saying I think I got Julian's 3

10:20:12 AM Assata: And not Harry's 1

10:20:33 AM Assata: Be idt we explicitly asked for his 1

11:04:53 AM Assata: I talked to Harry

11:05:00 AM Joren: Oh no

11:05:04 AM Joren: Is he ded?

11:05:16 AM Assata: Hedidnt know we wanted the 4th one(i was right). He said it's around somewhere and that he'll bring it

11:05:32 AM Assata: He was upset that the first one didn't have paperwork

11:06:08 AM Assata: I chatted a bit about what the items do and how they worked and why

11:06:45 AM Joren: Paperwork? Hmm

11:06:51 AM Assata: Idk *unknown icons*

11:07:23 AM Assata: I think things were rosyish until I double back from leaving and asked about clemens uniforms

11:07:42 AM Assata: He said he didn't recall and mixed doing an email search without the enter button

11:07:59 AM Assata: Until I asked if he hits enter when doing this searches and the email popped up

11:08:45 AM Assata: He buried in a sentence that the email was in his deleted folder.

11:09:16 AM Assata: He also thought it was 40 per person (asked several times) and didn't understand the receipt break down. I explained this given their process.

11:10:03 AM Assata: And yeah so I convinced him to maybe reach out to you concerning duration be idk what that's supposed to be

11:11:07 AM Joren: Okay

11:11:13 AM Joren: No worries.

11:11:56 AM Assata: Takaway:

1. Harry needs direct explicit information each time(re 1st holder)

2. Harry needs a shorter followup time(re unacknowledged/untouched email)

3. Laying details in email can support things(re unasked questions becoming blockers)

13. 04/7/2022 Present sense impression and excited utterance from myself to my supervisor about sexual behavior of engineer "Gary". Ex.122-127. References: ECF 8-1(¶28, 1¶75) Doc 15 (¶79).

1:26:05 PM Assata: When yalla re done pis don't forget to look at the rail hole

1:54:07 PM Assata: Gary keeps looking at me up and (middle?) Even when i had on a coat? I waved but he didn't say hi.. I think the staring has been mostly today. I hope he's OK

2:22:08 PM Joren: Rail hole?

2:24:12 PM Assata: You already did srty

2:36:22 PM Joren: No need to be sorry.

2:36:24 PM Joren: WTF Gary.

II. Transcripts Concerning Race Discrimination (33 Transcripts, Complaint Counts I-IX, XVII-XX)

1. 06/22/2021 Attempts to remain polite and apologetic with HR staffer (Now Head of HR), Diana Wilmes. (Ex. 128-129) References: ECF 8-1 (¶25, ¶105, ¶121(a)).

12:16:28 PM Diana: Assata, your lunch was delivered

12:30:05 Assata: Oh thank you. I was so set on waiting for the call that I checked in with them and then just saw your message.

2. 06/25/2021 Collection of messages, and adverse party statements of how HR escalated and communicated my first missed meeting (due to technician duties). Ex. 130-135 References: ECF 8-1 (¶25, ¶105, ¶121(a)).

Message from CAO Judy Talis to Diana Wilmes

11:03:01 AM Talis: no show for Assata Did she accept?

Message from Diana Wilmes to my supervisor

11:05:22 AM Diana: Joren, Assata is a no show for a meeting with Judy are you with her by any chance?

Message from my supervisor to me.

11:07:21 AM Joren: Assata Acey - Please reach out to Judy for your interview training - HR gets grumpy when you miss things with them. (I know... cables are more important, but they are who they are)

Messages from me to Judy Talis and Diana Wilmes

2:45:48 PM Assata: Hi! First to Judy, I am so sorry for missing my training. I had remembered it this morning and then we had a snafu to assemble cords that are currently being shipped . (I am just now sitting for lunch). If you all could let me know what next time works I will set alarms to make sure I am there.

2:46:47 PM Talis: Thanks for responding Assata. Diana will be setting this up.

Messaging from me to my supervisor

2:48:35 PM Assata: cool cool, also I messaged Judy and Diana. Judy is terse but I told her that I'm also doing late lunch, they will reschedule. Also I meant to tell you this morning that I was 4-5 hours ahead and did you want me to leave early

3. 07/07/2021 **Excited utterance, present sense impression and recorded recollection from myself to my supervisor about negative and seemingly derogatory comments from my coworkers (Ex. 764-765). References: 8-1 (¶ 5-6, 10, 105, 121(b)), ECF 15-36, ECF 15-37.**

10:24:17 AM Assata: Hi Joren?

I wanted to ask to meet with you but there's not really any private office space. So sorry for these long messages(abt 5 mins reading time)

Purpose : I wanted to check in and realign my sense of what I'm supposed to be doing/ because there's been some behaviors and comments that I have been mixing with me genuinely wanting to make sure I'm helping.

Context: My assessment was that I am supposed to be:

- a) Learning about team processes through shadowing
- b) Completing direct tasks as given by you (ie: cabinet fixes, helping out with boards)
- c) Documenting my work/ supporting documentation so that any related errors found(BOM inconsistencies, wrong use of parts, inaccurate cabinet travelers etc)can be found and reviewed and prevented.
- d) Running supports beyond the scope of direct tasks(ie: working with Seth to document/anticipate moving parts) to you

Request: I know there's definitely a learning curve to where I would be able to become more helpful over time as I learn more. But getting a sense from you with what I should be doing would help me provide the right support and be less confused

Comments and Behaviors:

- a) "I don't build cabinets, that's what we have you for. " (when I first met Taylor and was asking what he does) "I don't see why he doesn't just have you build cabinets" (After previewing the chart I was excited to present to him on Friday)
- b) "As an assembler...you" — the beginning of many of Maria's sentences when I ask her about cabinets
- c) Frank: "This is Assata. She's a technician with a **Physics** degree... she'll be doing better things... Introducing a new hire with a smile.

Effects: There are other small actions and experiences but the effect is this **After Taylor's comments, I questioned even finishing typing stuff or doing organization, despite i) him being ok with my chart and description on last Monday ii) Maria's input about the need for organization

and her intention with those carts **I get a vibe that writing down fixes to be considered for the cabinets, along with documenting feedback or BOM issues is unexpected and not "assembler" role?

Request: I know theres definitely a learning curve to where I would be able to become more helpful over time as I learn more. I know there's also career path stuff, but for here and now getting a sense from you with what I should be doing would help me provide the right support and be less confused. I am also a person and new and I just want to help

11:06:23 AM Joren: Assata,

First off- thank you for being open and letting me know! So sorry for how some of this is coming across. I've sent you an invite for tomorrow to sit down and discuss this - is that acceptable for you?

4. 07/08/2021 **Attempts to remain polite and courteous with HR staffer (Now Head of HR), Diana Wilmes and confirm meetings ahead of time (Ex. 136-138). References: ECF 8-1 (¶25, ¶105, ¶121(a)).**

9:56:51 AM Assata: Hi Diana, Happy [and thank you and Judy again for] ice cream day! I just wanted to double confirm that the training meeting is moved to tuesday a.m. and not today(don't want to miss any more meetings)

Also, do you know where paystubs are recorded?

9:58:03 AM Diana: Hi Assata, Yes, it was moved so we can capture the new hires that are starting on Monday. So you are good for today. Paystubs are in Paychex, I will send you the registration directions in an email.

9:58:26 AM Assata: Thank you!

5. 07/14/2021 **Attempts to remain polite and courteous with HR staffer (Now Head of HR), Diana Wilmes and communicate health-related early departure (Ex. 139-145). References: ECF 8-1 (¶25, ¶105, ¶121(a)), ECF 15-38.**

2:53:27 PM Assata: Hi Diana, are you working from home today?

2:53:43 PM Diana Wilmes: Yes, How can I help?

2:54:32 PM Assata Acey: ALrighty, I had a sudden flare of back cramps and heat flashes about 10 minutes into the patent training

2:54:56 PM Diana: Okay, I can sign you up for the next session

2:54:58 PM Diana: No worries

2:55:41 PM Diana: Won't be until August though, towards the end

2:58:00 PM Assata: Yeah, I had sent a message to Matthew to apologize but talking about body stuff can be weird, that's fine with me. Thank you so much again.

6. 07/19/2021 **Recorded recollection from myself to my supervisor regarding technological barriers to timesheet submission (due the previous day) and continued attempts to remain polite, apologetic, and direct with Diana Wilmes (Ex. 146-153). References: ECF 8-1 (¶25, ¶105, ¶121(a)), ECF 15-39.**

7:32:45 AM Joren: Assata Acey - please fill the hours you worked Friday in ASAP, and re-submit your timecard (or at least let me know). Thanks!

8:26:26 AM Assata: will do. Was about to give heads up just now that [I] was trying this weekend and wasnt able to get the site to load

8:28:19 AM Joren: Thank you!

9:04:54 AM Joren: I see your timecard is updated with 7h for Friday - is that correct?

9:09:17 AM Assata: and yes, friday, I was in from 8-4, but my lunch was an hour.

9:12:21 AM Assata: Hold on...thats actually 6.5..I'd be able to see the times from my phone but I think I left it in the "currently in use" conference room...

9:16:53 AM Assata: found phone, yup. it was 8-4:30. so friday hours are confirmed. I tally everything to record the day of. but that day, I rushed out to beat Tina to the door, so I mentally noted the hours to put in at home.

Messaging from myself to Diana Wilmes

10:34:41 AM Assata: Hi Diana, I was looking for you today but I realize you're out of office. I wanted to say sorry I got my timesheet in late. I rushed Friday but was then unable to get the home page to load on the weekend.

I'm gonna try to avoid saving time from home going forward just in case. And make note if it happens again.

I hope you're having and continue to have a great vacation!

[*Noreponse was given/produced*]

7. 07/27/2021 **Adverse Party statements from Diana to me blaming me for tardiness to a meeting I never received an invite for (Ex. 154-167). References: ECF 8-1 (¶25, ¶105, ¶121(a)), ECF 15-40, ECF 15-41.**

1:08:19 PM Diana: Please join meeting.

1:08:37 PM Diana: cpr

1:09:22 PM Diana: It is in the invite

1:09:42 PM Diana: You took it on the 13th?

1:10:06 PM Assata: Its on my teams and microsoft caandar for the third. Please send me the invite for today's session

1:13:33 PM Assata: Hi Diana, I have the CPR invite for the 3rd, but not for today. Can you send me the invite?

1:13:52 PM Diana: I'm sending it to you now.

1:14:01 PM Diana: you must not have accepted it

1:16:44 PM Assata: Thank you, also sorry for the confusion. It didnt how in my email search, but ill try to be more thorough in the future

1:16:57 PM Assata: CPR confusion II.PNG *shrunk text box*[attachment of emails search showing no meeting invites for CPR]

2:13:13 PM Diana: Let me know when you're back online

2:16:08 PM Assata: back

8. 7/28/2021 **Attempts to remain polite and courteous with Diana Wilmes, present sense impression, recorded recollection and excited utterance of her unknown complaints of my attendance to meetings (which were subsequently brought to my supervisor) (Ex. 168-182). References: ECF 8-1 (¶25, ¶105, ¶121(a)), ECF 15-42, ECF15-45.**

1:04:53 PM Assata: Thank you Diana!!!

1:26:42 PM Joren: Hey - FYI Diana just came to me about concern regarding your attendance to meetings - what can we do to keep on track with not missing scheduled meetings?

1:27:20 PM Assata: I really dont know. The last two I was late for was the one from yesterday where she never sent an invite

1:27:34 PM Assata: And the one from today with I saw yesterday but didnt noticed the time today

1:28:02 PM Joren: Yeah, that's what you said this morning. No worries, just trying to see what

1:28:07 PM Assata: Prior to, I haven't missed any meeting since interview training. And when I had to leave patent training I emailed and spoke with her

1:28:20 PM Joren: Understood.

1:28:44 PM Assata: I will. I want to be nice to her specifically because I'm sure she's getting flak from Jusy, but it is upsetting when things I didn't do are held against me?

1:28:58 PM Assata: I feel like this is additional irritation build up from the time sheet

1:29:02 PM Assata: Will do best

1:29:07 PM Joren: Agree. Yesterday I'm not worried about.

1:29:18 PM Assata: [Direct response to message from 1:28:58 PM] Which I had also messaged her to apologize about

1:29:53 PM Joren: Could be - just something to watch out for details wise... no worries here. Thanks!

1:30:22 PM Joren: Not worth something to argue with them over, we'll just see what we can do. Please let me know if there are further things they claim you should be at, that you don't have on your calendar.

1:35:57 PM Joren: Diana - I have had a conversation (2nd one) with Assata about meetings. Please let me know if there are any further issues should they come up so that I / we can take appropriate action. Thank you for coming to me!

9. 08/09/2021 **Recorded recollection from myself to my supervisor regarding statements made about Julian Jackson (now- laid off black male warehouse associate) by his direct supervisor (Taylor Johnson) (Ex. 183). References: ECF 8-1 (¶110-111, ¶121, ¶123).**

9:13:43 AM Assata: I will check with Julian...Taylor has warned me that when getting parts from Julian to not let him order anything but send an email to purchasing so it's documented, so I may ask both and let him do his delegation thing?

10. 09/16/2021 **Attempts to remain polite and courteous with Diana Wilmes, and adverse party statements showing her ability to contact me when she is not complaining about me/my attendance (Ex. 184-193) References: ECF 8-1 (¶25, ¶105, ¶121(a)).**

1:14:41 PM Diana: your food is here

1:35:46 PM Assata: Thank you!

1:37:18 PM Diana: No Worries, Pete actually was the one who got it from the driver. I just didn't want him to have to track you down. I know with these food delivery sites, you can sign up for notifications for food delivery that is separate from the driver. I would recommend doing that if you haven't already.

1:37:40 PM Diana: Otherwise, I'll just keep messaging you through Teams

1:37:46 PM Diana: no big deal

2:10:18 PM Assata: I am totally cool with using teams to avoid extra labor for anyone. Spatolas uses their own site. But I'll continue to add the note to call and watch my phone. For the especially and anywhere else

2:10:55 PM Diana: I just don't want your food to get cold.

2:11:00 PM Diana: Cold lunch is no good

2:11:25 Assata: lol I'm happy to have food.

2:11:42 Assata: thank you again! you are appreciated!

11. 10/08/2021 **Excited utterance of myself and my supervisor and his adverse party statements about coworker's safety accusations made against me in spite of my use of visual and verbal cues (at the time in question) (Ex. 766-778). References: ECF 8-1 (¶5, ¶48-50, ¶110-111), Doc 15 (¶77).**

10:24:11 AM Joren: Hey, could you please provide a bit more information on the light tower conversation?

10:25:25 AM Joren: I'm hearing some disturbing things about that, and need to squash this ASAP

10:26:11 AM Joren: This has now become a thing.

11:12:51 AM Assata: Just now seeing this

11:13:02 AM Joren: Oh, ok. Thanks.

11:13:26 AM Joren: Sorry, I thought you had seen this which is why you came over. What did you come over for?

11:14:38 AM Assata: I was just going to tell you how the pneumatic handle went

11:15:23 AM Assata: Thats why I was surprised *surprise emoji*when oh had me sit. Then i was Worried Tina had died since I didn't help her with the lift

11:15:51 AM Assata: Then I was just irritated that ppl at work don't use eyes and ears *unhappy emoji*

11:15:57 AM Assata: But I'm chilling now.

11:16:26 AM Assata: Prepping cabinet for lunch time

11:23:13 AM Joren: Thank you.

11:23:23 AM Joren: Sorry about the hydraulic punch

12. 10/20/2021 **Present sense impression and excited utterance/complaint from myself to my supervisor about Julian Jackson's statements to me on Jackson's access to his own work assignments (Ex. 194-199). References: ECF 8-1 (¶110-111, ¶121(b), ¶123).**

3:06:54 PM Assata: After double searching the kit for the gasket, I ha e put in my first parts request. I hope using form doesn't mean things will be slower

4:06:40 PM Assata: Supply chain emails only go to Taylor and Daniel according to Julian

4:06:57 PM Assata: He is certain that they don't go to him and didn't know we were gonna skip him part numbers anymore

***Time unproduced*PM Joren:** It's intentional [*unproduced image*]

5:28:26 PM Assata: Can slow things down, but I'll try to put requests in earlier?

6:23:09 PM Assata: Julian also mentioned that when he is given items from the request form, instead of receiving the form, Taylor reads the numbers aloud to him or send them in a team's message. I don't understand how he is set up for success when there's another level between what is sent inand what hes receiving

6:28:37 PM Assata: Because if I get the wrong part I would look at Julian . But, from this email, they will be trying to match the number I give against their BOM

13. 10/21/2021 **Excited utterance/complaint from myself to my supervisor and my supervisor's adverse party statements about Julian Jackson's access to his own work assignments (Ex. 200-207). References: ECF 8-1 (¶110-111, ¶121(b), ¶123).**

9:50:48 AM Assata: what I want to say is professionally, if there should be a collated record of whenever Julian gives the wrong thing, he should also have a record of instructions given to him

9:50:58 AM Joren: [Direct Reply to message from 4:06:57 PM 10/20/2021-See exhibit X] He didn't know we were changing things - because we're not "really" - I'm just providing the old

form so that if someone needs it, it's available.

9:51:12 AM Joren: [Direct Reply to message from 9:50:48 AM 10/21/2021-See exhibit X] Agreed.

9:51:33 AM Joren: [Direct Reply to message from 6:23:09 PM 10/20/2021-See exhibit X] Agreed - it's a strange operating way.

9:51:43 AM Assata: [Direct Reply to message from 9:50:58 AM 10/21/2021-See exhibit X] So im not supposed to use form to request individual parts

9:51:55 AM Assata: ?

10:02:20 AM Joren: You can or cannot, up to you.

14. 10/25/2021 **Excited utterance and present sense impression from myself to my supervisor about adverse statements made about the nature of Jackson's work, and about CAOs public and implicit accusations of my stealing time (Ex. 208-225). Supporting Ex: 130-135 References: ECF 8-1 (¶110-111, ¶121((a)-(b)), ¶123).**

10:01:04 AM Joren: Assata Acey - 39.5h last week, is that right?

10:33:52 AM Assata: Hi I just saw this and yes

10:34:47 AM Assata: I talked to Judy again. She'd given me the impression before that vacation automatically prepopulates into gaps when it's under 40 hours, and that were only supposed to request vacation in 4hr increment

10:36:17 AM Assata: I didn't want to be dishonest or change it since I couldnt make up that extra 30 min

10:36:43 AM Assata: It's funny though be I thought she was going to tell me i need to stop doing overtime lol *laugh emoji*

10:39:29 AM Assata: I also talked to Julian and noticed he had gathered parts Brian asked for this morning. And was waiting for Brian to come back do he could deliver them(none of us could find Brian for a wee 30 min) It looks like he is getting parts the same day when given part numbers during business hours. I can still go with Brian to request parts from Julian but it's looking more like accuracy and not timing

10:50:43 AM Joren: Nope, OT is fine, if you're doing 2-3h / wk I don't need much, if you exceed that, just please let me know why. Thanks for checking in with Judy on that - appreciate it. Diana came to me about it, and I've currently ignored it, but eh. Is she saying you should put in for 1/2 day PTO to make up for the 30 minutes next time it happens?

10:52:38 AM Joren: Re:Julian - there's some other stuff going on too. I hear you, thank you for that information.

10:53:46 AM Assata: [Direct Reply to message from 10:50:43 AM 10/25/2021-See exhibit X]She's saying if I'm missing 30 mins I should put in 30mins vacation

10:53:55 AM Joren: !?!?!?!?

10:54:18 AM Assata: And implied I could be overloading my overtime by moving time into the next week.

10:54:49 AM Joren: Wait what? Please explain this too.

10:55:06 AM Assata: Be since I'm full time hourly it's illegal for me to get paid less than 40 hours

10:55:47 AM Assata: [Direct Reply to message from 10:54:49 AM 10/25/2021-See exhibit X] Like as if I'm leaving 30 mkns off my ti.esheet to add to the next sheet to max out on overtime

10:56:22 AM Assata: Where in reality I leave around the same time whether i leave early or not and try not to do long weeks back to back

10:56:44 AM Joren: [Direct Reply to message from 10:55:47 AM 10/25/2021-See exhibit X] SO

possibly implying time "theft" but that's not what she's saying you should do, and that's not what you are doing, right?

10:58:04 AM Assata: She lightly implied it as If I would be more likely to do so out of ignorance of their system. I think I have enough overtime hours on my own to not need to add 30 mins....

15. **11/09/2021 Present sense impression and excited utterance/complaint from myself to my supervisor about Julian Jackson's statements to me on why his seating was changed and my supervisor's adverse party statements regarding same (Ex. 779-789). References: ECF 8-1 (¶110-111, ¶121(b), ¶123).**

3:42:11 PM Assata: Julian said Daniel had him in the front because he thought he'd be "more effective/productive" up there. It's giving "Assata" talks to much vibes but like directed at him., says he's happy he still works here, grr

3:43:26 PM Assata: Quote of cable shield

3:57:07 PM Joren: <https://www.mcmaster.com/clip-nuts/>

3:58:56 PM Joren: [Direct Reply to message from 3:42:11 PM 11/09/2021-See exhibit X] Hmm strange. A lot of weird going on around that. Not sure why.

3:59:00 PM Assata: [Direct Reply to message from 3:57:07 PM 11/09/2021-See exhibit X] low, floating nut, or enclosed nut?

3:50:18 PM Joren: [Direct Reply to message from 3:43:26 PM 11/09/2021-See exhibit X] Haven't heard anything more, but I think Harry's working it. Thanks for finding it!

3:59:40 PM Assata: [Direct Reply to message from 3:58:56 PM 11/09/2021-See exhibit X] its feeling like the flag I raised when the requisition email stuff was coming out.

4:00:08 PM Joren: [Direct Reply to message from 3:59:00 PM 11/09/2021-See exhibit X] not low. Not floating., not snap in.

PM Joren: [Direct Reply to message from 3:59:40 PM 11/09/2021-See exhibit X] Separate things though.

16. **11/17/2021 Present sense impression and excited utterance and recorded recollection from myself to my supervisor about the demeanor of two white, new, mechanical team coworkers and my referring to one of them (Tom Hornberger, senior R&D technician through July 2022) as "mustacio guy/mustache man" (Ex. 226-237). References: ECF 8-1 (¶39-40, ¶120), Doc. 15 (¶77).**

11:37:58 AM Assata: Chris seems ok tho

11:38:22 AM Assata: there's too many Chris, Mike, and Daniels in this building

11:38:25 AM Joren: Chris who is sitting at my bench?

11:38:26 AM Joren: Yes.

11:39:12 AM Assata: it was so weird. I told them I was on your team and 1 sentence on what I do and the unfriendly one just smiled at me., like neither person said anything

11:39:41 AM Assata: it was a weird, smug smile....when I came over I asked if they were new and he pointed out the nicer one as it being their first day

11:40:44 AM Assata: the weird thing about it all is I'd already seen the brunette in Kerry's cluster and he would never say hi back or maintain eye contact, so I figured he was antisocial but....when I went over he was just smirking, anyway there's other things to worry about

11:41:13 AM Assata: waiting for Maira to finish meetings to get an answer for the AC for VW and the Flow assembly angle

11:41:33 AM Joren: [Direct Reply to message from 11:39:41 AM 11/17/2021-See exhibit X] mustachio guy?

11:41:49 AM Assata: mustacio guy—

11:42:15 AM Joren: Yeah, he's not really personable. Not really keen on him

11:42:29 AM Assata: ive seen him talk when he wants to

17. 12/13/2021 Excited utterance, present sense impression from myself to my supervisor and his adverse party statement regarding the presence and nature of a cartoon pinned onto my cubicle's outer wall (Ex 802-807). References: ECF 8-1 (¶39-41, ¶121(d), ¶124-128, ECF 15-34, ECF 15-35, Doc 15(¶77-78).

3:10:30 PM Assata: Do you think I should Frame my degree and print my six Sigma/project management certs and frame yhem at my desk?

3:10:58 PM Assata: I think perhaps not but the jok e that's been pinned outside my cubicle feels only specific since no one else has admitted to majoring in physics here

3:12:48 PM Joren: I think you should a **copy** of your degree for sure.

3:12:56 PM Joren: Not sure I follow the second statement there.

5:00:03 PM Joren: Yeah, that's rather odd of a "post".

5:32:17 PM Assata: No one else majored in physics

18. 01/15/2022 Excited utterance from myself to my supervisor of my interest in and reasoning behind black history movie recommendations that I presented to CAO (Ex. 238-239). References: Ex. 843, ECF 8-1 (¶39-40, ¶120), Doc. 15 (¶77).

10:47:35 PM Assata: I want to recommend these movies to HR for folks to consider watching one of for black history month

Hidden figures, king Richard, last holiday, the butler, glory, loving, black panther, Amistad, Crooklyn, Respect. Akeelah and the Bee, The Fighting Temptations, Quincy
How should go about this?

10:51:00 PM Assata: They're all somewhat historical or anthropological, highlight subtle racism(which can be more revealing in a time and settling where subtle is more.commom than violence) and give a curated, varied, and non traumaporn view of black American experiences. Without being super antipatriotic and witha range of tones(am proud of the last bit)

19. 01/16/2022 Continued excited utterance from myself to my supervisor of my interest in and reasoning behind black history movie recommendations that I presented to CAO and record of the coaching, active formatting and consideration that went into it (Ex. 240-252). References: ECF 8-1 (¶39-40, ¶120), Doc. 15 (¶77).

11:47:01 AM Joren:

"to HR for folks" = all employees, not just HR? - confirming understanding

Confirming a path could be: HR sends out a company wide email suggesting movies (above) for BHM 2022?

(devils advocate here)

How does this help and grow the company?

How to sell this to a "white majority" without sounding either condemning or judgmental?

11:48:11 AM Assata: To support diversity and growing beyond our personal experiences, here some recommended movies to consider watching for black history month *smile emoji*

11:48:33 AM Assata: Erm.. not for HR for everyone lol

11:48:57 AM Assata: I could print and post a flyer at my desk of recommended bKM movies but ugh.

11:49:13 AM Assata: Your suggested path would be correct

11:53:35 AM Joren: bKM?

11:54:54 AM Joren: [Direct response to message from 11:48:11 AM] Fair for 2nd question, mostly. What about "How does this benefit the company?" "How does this grow the company?" (How does this benefit the shareholders? and grow the valuation of the company)

12:43:52 PM Assata: [Direct response to message from 11:53:35 AM] Typo

12:46:22 PM Assata: I mean she could use the same argument as the diversity training. But it's also shown that supporting and encouraging differences in company can serve to attract, retain and improve the effective/collaborative use of diverse talent

12:47:51 PM Joren: Think the diversity training is not just a legal liability token activity? (really, just curious what you think)

12:49:04 PM Assata: I mean yeah, but they also sell it because it looks good.

HR exists to keep company from being sued.

But they also have a hand or interest in talent retention and attracting more ppl of different backgrounds to achieve more., or they should

12:49:40 PM Assata: Also Dan and I made kettle and traditional popcorn from scratch and it was fun!!

12:54:11 PM Joren: Don't get me wrong. I support your thoughts and idea here, I think having answers to these questions in your initial communications to HR would go a long way.

Keep it short - at most 1/3 page if printed, (not including list).

Possibly include attachment with movie titles and 2-3 sentence summary of movie (and if available on Netflix, Hulu, etc., where people can find it - since things like "Blockbuster" aren't a thing any more. *box of shrunken text*)

I'm not dismissing the idea, or saying don't do it. Just give it the best shot of success.

Interesting. I made popcorn last night using a hot air popper (best way ever). Second best way is in a pan / kettle :) Awesome!

Microwave or bagged popcorn doesn't even hold a candle to either of the above.

20. **01/25/2022 Present sense impression and excited utterance from myself to my supervisor about Tom Hornberger (senior R&D technician through July 2022, aka "mustacio guy/mustache man") passionately calling Julian Jackson (black warehouse associate) lazy (Ex. 253-256). Supporting exhibits (Ex. 226-237). References: ECF 8-1 (¶39-40, ¶120, ¶123(b)), Doc. 15 (¶77).**

3:49:22 PM Joren: Assembly VA Connector subassembly P-002092-Tool VA HV Connector assembly fixture - do you have a photo of this?

3:49:32 PM Joren: Either way, go save BACON

3:49:37 PM Assata: not folks at work getting mad about the garage door and calling Julian lazy behind it. like he's the only one using the door/leaving it open and all uses are just to bring forklift in vs in and out of waiting for vendors to unload... yikes. of course it was mustache man.

3:49:43 PM Assata: goign to save bacon!

21. **01/28/2022 Present sense impression and excited utterance from myself to my supervisor about a white (Brian Kenny) who used me to access the building, held the door open for a white woman, and then allowed the door to slam in my face, leaving me to carry the team's refreshments on my own (Ex. 257-283). References: ECF 8-1(¶39-40(c), 96, 110-111), Doc 15(¶77-78).**

8:16:24 AM Assata: Brian was parked at same time but went upstairs. Dan is at his desk

8:16:56 AM Joren: haha. Smart guy - he's going for the donuts.

8:20:44 AM Assata: Exactly!

8:23:32 AM Assata: So mi I sprint later

8:23:41 AM Assata: Brian is sipping coffee chatting with Bogdan

8:24:03 AM Joren: Lauren's almost there

8:24:13 AM Assata: I wish he'd try to set up instead of freaking out on the spot but oh well U maybe there's not much setup they can do without representation

8:24:15 AM Joren: Order is for "Dan Dufresne"

8:24:33 AM Joren: Oh, that Brian

8:24:40 AM Assata: How do I convince someone that I'm a white man and to trust with merchandise.

8:25:04 AM Joren: Honda Accord

8:25:05 AM Joren: Front door

8:25:09 AM Assata: *unspecified attachment*

8:25:26 AM Joren: Uh oh! Julian got it? *box of shrunken text*

8:31:48 AM Assata: Let's talk about how our Brian asked me to let him in so I unlocked the building door for him on the way up

8:32:21 AM Assata: But when coffee and donuts came this he held the door and wited outside twice for her to get the coffee in after the donuts

8:32:37 AM Assata: Then this flour basket took off

8:32:50 AM Assata: And I had to carry both coffee things and donuts but myself

8:33:06 AM Assata: And open the door alone

8:33:37 AM Assata: Julian had his own interpretation

8:34:13 AM Assata: Which had to do with the visible spectrum of light □ and how some folks absorb uv from the sun...

8:34:34 AM Assata: Lol the same.coffee he was gonna drink!! I told everyone he doesn't deserve donuts and gave him a peice of my mins

8:34:48 AM Assata: Given that he doesn't have a key rn, he's likepy outside sulking.

8:47:51 AM Assata: Apparently roasted him too hard he came back with wawa coffee

8:49:49 AM Assata: Idk why I thought Dan d. Would see me with the donuts. Only 2 were taken but he was lighthearted in his mention.

8:57:53 AM Joren: LOL WHAT?

22. **02/04/2022 Recorded recollection from myself to my supervisor of a discussion I had the previous Tuesday with my supervisor about the feasibility of the current workplace culture, and my personal goals (Ex. 284). References: ECF 8-1(¶120-122), Doc 15 (¶177).**

2:10:42 PM Assata: Message from Tuesday: Hey, erm idk how or whether to say this but I think I may be irreparably unhappy with work as it currently exists

There's a lot of things I enjoy about work and moments where I feel happy here; wonder if a remedy is needed at all.

However I have decidely shifted from(how or whether to try) to get more happiness out of work to making room for the other goals/life aspects(house education, personal care) that make me happy.

For that major purpose, I think working part time or on a 3day wfh 2day in-house schedule would be best for me.

Anticipated benefits are: 1.cut down opportunities for stressful interactions with others

2. Grant me more time and flexibility to wrap up crucial home repairs
3. grant me more time and flexibility to shift back towards my masters degrees
4. Grant me more flexibility to schedule and do my best work **I consistent and not stressful environment vs being distracted by emotions, settings**

I totally get if there s not role for that in the team etc bit I also have considered this and wanted to at least let you know where I stand.

23. **02/05/2022- 02/07/2022 Collection of messages from myself to my supervisor drafting the racial education movie list (Ex. 285-289). References: Ex.843, ECF 8-1 (¶39-40, ¶95).**

7:09:20 AM Assata: []movies

7:55:35 AM Assata: can I cc you in my HR movie email o should I not

7:56:03 AM Assata: also, pre-email blurb:

"Hi Judy, I hope this email finds you well. Fm unsure what Momentum's stance is on black history month, or if this is even appropriate.

However, I wanted to recommend 14 movies to consider watching for Black History Month-to support diversity and growing beyond our personal experiences.

I believe this continuous growth enhances collaboration, as well as attractiveness, and retention of diverse talent pools. Through their historical or anthropological elements of Black culture and varied levels of seriousness and lightheartedness, these movies showcase give a curated and varied view of black American experiences. Names and short summaries below. "

2:52:48 PM Assata: Alrighty. I set it for delayed sending Monday at 7. Judy is on break

02/07/2022

10:07:21 AM Assata: [Direct response to message at 2:52:48 PM on 2/5/2022] I accidentally put PM instead of am. I manually fixed it and sent rip

24. **02/10/2022 Present sense impression from myself to my supervisor of my qualification and sourcing of PPE for the UV Consultation assigned to me AND Adverse party statement of my supervisor regarding the CAOs continued interest in meeting about my movie list (Exhibits 290-291, 295-302). References: ECF 8-1(¶3, ¶6, ¶32-37, ¶44-46, ¶120-121(b-d), ¶124-129, ¶134-163), Doc 15 (¶77-78, ¶82-83), ECF 15-61, ECF15-62, Doc 20 (¶8-49), ECF 20-5 to 20-16, ECF 20-21.**

12:53:57 PM Joren: Checking in on you - hope you're okay today.

Thanks for sending that over last night.

Judy asked about your whereabouts as she's in the office today, lol.

12:54:52 PM Assata: I'm ok. Trying to see if I can get a shield with more than 27%light transmission. I was just about to teams chat her

1:05:22 PM Assata: Im aiming to get everything for 60D since its a step above out worst cast Calc for extra padding (in unlikely case it's wrong or laser unmeasured etc). Difference between SOD and 6PD face shield is 42\$ and 55% visible light vs 27%

1:06:09 PM Assata: However shades don't look too dark and am unsure how factors of room lighting etc would effect it. Would you be OK with ordering one of both to double check ease of use?

1:07:31 PM Joren: Too much shade isn't good. (joke)

1:08:10 PM Assata: Cool I'm going to put both on the purchase chart and move on

1:15:47 PM Assata: These are the relevant skin rules for class 4 UV, please consider these and Tel me your stance for buying Lab jackets or not.

tight woven fabrics and with opaque fabric gloves are seen as adequate protection from UV

Lab coats and flame resistant materials are suggested but not required.

A: fabric gloves and suggesting folks work in long sleeved full length pants *avoids the mess and cost of coordinating everyone's jacket size. And unlikely folks will focus beam in clothing

OR

B: fabric gloves and flame retardant Lab jackets *provides flexibility in case folks want to go to work in short sleeve during summer or decide to do UV after coming in, and prevents fire from clothing in worst case scenario

1:44:00 PM Assata: requested physical quotes for the window and room barriers

1:44:58 PM Assata: I haven't heard back from him regarding the laser head status, he did attach purchase confirmation so I'll call the company back and see if we can get the tracking for it

1:45:16 PM Assata: Judy said she wants to talk movies with me after her 1pm meeting so also standing by for that

25. 02/10/2022 Adverse party statements of Judy Talis (former CAO) setting a time for her requested meeting (Ex. 292-294). References: ECF 8-1(¶39-41, ¶96, ¶98, ¶103), Doc 15(¶77-78), ECF 15-46.

12:56:18 PM Assata: Hi Judy, do you have a sec for a teams call?

12:57:22 PM Judy: I have a 1pm call but can give you a call when I am done. Does that work?

12:57:36 PM Assata: Sounds good!

26. 02/10/2022 Present sense impression from myself to my supervisor regarding content discussed with CAO and the resolutions she disclosed to me (Ex. 303-305). References: ECF 8-1 (¶5-6, ¶39-41), Doc 15 (¶77-78), ECF 15-47.

3:08:40 PM Assata: Judy has decided to make everyone redo diversity training and plans to teach mustache man how to not risk company lawsuit. She may be reaching out to you about Brian (I've explained that it's been handled etc but she was clear she wanted something easy to try)

We can't have movies because they ain't got a program to promote each holiday etc(idk why they don't start with this month)

3:23:27 PM Joren: That's great to hear.

3:23:36 PM Joren: Thank you for the update though! Really appreciate it!!!

27. 02/11/2022 Present sense impression and excited utterances from myself to my supervisor of the nature of why I needed to work from home as well as CAOs request to follow up on our discussion of racial harassment and her subsequent sexually inappropriate behavior (Ex. 306-316). References: ECF 8-1 (¶33-43), Doc 15 (¶77-80), ECF 15-48, ECF 15-54.

8:22:37 AM Assata: A bit slow this morning. Woke up in hormonal nausea. Escalated and spent the last 15 mins in fetal position on the floor. Yay *sad emoji*

8:22:54 AM Assata: Will still sign in for meeting

12:15:45 PM Assata: Update:

I did not get better I am well acquainted with Dan's Clorox

Judy randomly asked to follow up. She barely stopped herself from asking if I was pregnant. After the implicitly then obligatory explanation of hormonal nausea...

She doesn't understand why I won't take her recs for her or her daughters gynecologist

12:17:23 PM Assata: I am sitting in a sun spot armed with a bowl and a bag. Will report as work related projects become more developed

12:24:11 PM Joren: WTF Judy? Ugh.

12:24:12 PM Assata: Worse is that cat has taken over the bag

12:24:21 PM Assata: *unproduced attachment*

12:24:37 PM Joren: Awww That's so cute!!!

12:24:59 PM Joren: Oh yay!

12:25:10 PM Joren: Take some time and rest though, please

28. 02/11/2022 Present sense impression, excited utterance and adverse party statements between my supervisor and Diana Wilmes regarding white technician Steve Brown's interest in my attendance and the possibility of negative rumors being spread about me (Ex. 790-791).

Supporting exhibits: Ex. 844-849. References: ECF-8-1 (¶110-111, ¶121(b), ¶123), Doc 15 (¶77-78).

8:40:58 AM Diana Wilmes: Hey Joren, I heard Steve Brown asking Rob if they had seen Assata lately. Sounded like Rob hadn't seen her in a while. And come to think of it, I haven't seen her lately either. Is she working downstairs or from home? Not sure why he was asking but if someone comes and asks me, I just want to know something to say. Hopefully she is not sick.

9:01:43 AM Joren: Diana, Yeah, I'm frustrated with the rumor mill here at work. [*unproduced image*] A lot of people saying bad things about people.

Assata has been doing some research and writing up procedures, because of this. I'm letting her work from home to do them, as there's little reason to be in the office to just be on the computer.

Thanks for reaching out. Hope that helps?

29. 02/11/2022 Adverse Party Statement from CAO to me requesting a follow up on our meeting about my racial experiences at work (Ex. 308). References: ECF 8-1(¶42-43), Doc 15 (¶77-78).

9:38:52 AM Judy: do you have a sec for a quick teams call. Had a quick question

30. 02/15/2022 Adverse party statements between CAO and my supervisor about meeting to discuss the racial experiences I shared in my meeting with CAO (Ex. 317-318). References: ECF 8-1 (¶40(b), ¶42, ¶96-103), Doc 15 (¶77-78), ECF 15-49.

8:06:01 PM Judy: Sure I will be in tomorrow. I also want to speak to you about Assata and some things she shared with me. My calendar is up to date but regardless I will find time for you

8:11:00 PM Joren: Thank you. I'll see about booking a room if that's all right.

Re:Assata, okay, I appreciate it.

31. 02/15/2022 Excited utterance from myself to my supervisor about CAO's prior response to my shared racial experiences and his adverse party statement and present sense impression about CAO's interest in following up with him about these things (in addition to project management duties for a team deliverable) (Ex.319-336). References: ECF 8-1 (¶42, ¶96-103, ¶134-163), Doc 15 (¶77-78), ECF 15-62-15-63, Doc 20 (¶8-49), ECF 20-5 to 20-16, ECF 20-21.

8:14:56 PM Joren: Please do a review of all fixtures and tooling needs for a lie / cc va outside of the BoM, and provide a list. Looking for what fixturing we need to have more of if we're looking to run more builds in parallel. Is that something you'd be okay putting together a draft for by mid day Thursday?

Also, Judy wants to talk to me about some things regarding Assata. Please let me know anything you think I need to before going into a meeting with her tomorrow.

8:19:30 PM Assata: I can't im

agine what: either she wants to ask you what doctor I'm using, whether the nausea subsided, complain about me discussing racism at work with you vs her, ask if I'm starting trouble, asking for tips be I explained you have 50% of company's black women and 33% of companies black population where several groups go without women at all, maybe she wa to to know why I don't

enthusiastically jump at her emails

8:20:19 PM Assata: Would be a feeler to see how I'm "adjusting" to racial things at work or if I'm viewing everything as racist. At this point over a movie suggestion it's giving borderline harassment

8:20:50 PM Assata: But ye that's all I can anticipate her asking

8:22:25 PM Joren: Okay. No worries! I don't have more context but will fill you in where I can.

8:22:52 PM Assata: [Direct response to message from 8:14:56 PM] I can try to parse my notes for info on fixtures that aren't in BOM/are used in house

8:24:45 PM Joren: If I had to hazard a guess I'm on Jorge.

That would be cool too. Please start with ones on the document and then feel free to add ones in your notes too. There's questions to what would we need to have in house to run three builds in parallel.

8:25:37 PM Assata: That or to ask where I keep my notes when I report ppl doing weird stuff

8:26:35 PM Assata: Fair. Plausible deniability though. I don't know!

8:27:42 PM Joren: Please try and let it go, don't let her wreck your evening by letting her take up space in your head rent free.

8:27:46 PM Assata: She's been almost anxiously asking for those I guess to convince herself that it's not alot or not too detailed and I simply have opted to not dredge my social logs for everyone at work to her

Bc 1: it's labor, 2:she keeps calling it optional 3: she works better trying to avoid issues than when she thinks she cana she's stuff

8:28:00 PM Assata: And nope she doesn't

8:28:42 PM Joren: She cana she's stuff?

8:29:02 PM Assata: Lol

8:29:10 PM Assata: I read this in my head

8:29:29 PM Assata: When she thinks she can assess or judge things on her own

8:29:53 PM Joren: Ah. Yes

8:30:40 PM Joren: And goodnight. Salad time

- 32. 02/18/2022 Present sense impression from my supervisor to me regarding his attempts at addressing a coworker (Jorge Rive) from a separate team who had insisted on my accounting for my work time despite my explicit discomfort (Ex. 794-801). References: ECF 8-1(¶5-6, ¶40(b), ¶121(b), ¶124-128), Doc 15 (¶77-78).**

5:01:01 PM Joren: FYI - talked with Jorge about grilling you on where have you been. Let me know if it comes up ever again.

His "defense" was you were a bit standoffish when asked about how VW was going and that you weren't sure if you could talk with him about it because of past defense contractors you've worked with.

Again, let me know if it ever comes up again.

5:01:30 PM Assata: Not pressing further be he felt slighted

5:02:49 PM Joren: To be clear -1 don't mind you talking about what you're working on with a full time employee of MD.

If it's ever in question, feel free to direct them to me.

To be clear about above - that does not mean I want you to feel obligated to talk about it either.

5:04:25 PM Assata: I see. Defense as far as saying that my discomfort is only due to defense and

not due to feeling unnecessary scrutinized.

5:04:44 PM Assata: Regardless of his stance, I appreciate you following up for me and letting me know what to do in future

5:05:05 PM Joren: That's why you're hearing about it. I heard you after the Brian thing and I'm trying to be better

5:06:37 PM Joren: It's not a strong suit of mine - I often just "get things done" but like to stay out of the lime light, and saying "hey, I got this done, this is the outcome" feels some like I'm tooting my own horn - not something I like / do well.

Regardless of that - I'm working on following up and back.

5:06:46 PM Joren: Cool!

33. **02/24/2022 Present sense impression from myself to my supervisor about Jorge Rive (principal engineers)'s unresolved tension towards and discussion of me to coworkers after being confronted by my supervisor. Ex.337-347 References: References: ECF 8-1(¶15-6, ¶140(b), ¶121(b), ¶124-128), Doc 15 (¶77-78).**

5:30:26 PM Joren: Hey - are you okay? Jorge, Ron and Ron's guy seem to be the only ones still here.

5:31:01 PM Assata: <https://www.harborfreight.com/38-in-drive-digital-torque-wrench-64915.html>

5:31:02 PM Assata: *message is blank/redacted by defendant*

5:34:49 PM Assata: Jorge was loudly discussing me to someone at the end of day earlier this week. He's since cooled off

5:34:58 PM Assata: Thank you for checking

5:35:39 PM Joren: Sure thing. Ugh. WTF.

Content of loud discussing?

5:35:45 PM Joren: Jorge just left.

5:51:27 PM Assata: Eagle out!

5:51:54 PM Assata: Also, it was something about collaborating with others and why it's important to share information but he was talking to a bug didn't or whoever else would listen to him so I didn't really care

III. Transcripts Concerning Racial and Sexual Discrimination (19 Transcripts, **Complaint Counts I-XII, XVIII-XX**)

1. **08/09/2021 Adverse party statement from my supervisor to me about my assigned supervision of a white male field technician (Chris Schatz) and excited utterance and present sense impression of myself to my supervisor about my white coworkers' (Rob Rosenberg and Taylor Johnson's) opposition to/criticism of same (Ex. 348-363). References: ECF 8-1(5-6, 10-13, 121(b-d), 124-128), Doc 15 (77-78), ECF 15-43, ECF 15-44.**

1:00:35 PM Joren: I'm sorry, I've lost track of his schedule. If he's in, please oversee his work getting the next 150 ready, or assisting you building the 75's / kitting them, alternately, point him at Seth to assist with tub cleanout.

08/10/2021 exhibits 349-363

10:27:05 AM Joren: What do you need to support you and Chris knocking out the 75, and getting any questions answered quickly to progress along with it?

10:28:53 AM Assata: Are you here or available for a team's call?

10:29:30 AM Assata: I think it would be easier to have a short chat

10:30:59 AM Joren: Okay. I'll see about setting up a meeting later today. I'm currently booked all morning.

10:35:33 AM Assata: Valid.. I think everything is on pace to be done one time. I had set daily goals for the august chunk of the priorities you sent(75 and the 150s.)

10:37:12 AM Assata: I am stressed from input from Rob and Taylor and trying to be fair with Chris. I did not expect chris to come right in and start working, but my plan today was to wrap up Quentin repairs and then join him on the 75

10:41:19 AM Assata: I think everything is set up to be done on time and checked. The difficulty for me is not kicking him off of a project I was looking forward to, where it seems folks either want me to be bulding directly or watching him while he builds. Because I want to make the most of the hands we have/an worried about hovering/crowding but am also secure that he won't always be around and I will be able to build additional cabinets

10:41:22 AM Joren: Okay. Please do see if Chris needs anything before wrapping up Quentin. Thank you.

10:43:01 AM Assata: Will do. we check in each morning and throughout the day. It is stressful with folks constantly giving me updates on what hes doing with underlying expectations? Trying to remain concrete

10:44:01 AM Joren: Not sure I follow your last message?

10:46:40 AM Assata: I dont know how to word it in text. But even though I set up steps to get things done in time, I feel like I've been getting carried away wanting to make sure I'm doing stuff correctly. Then Rob or Taylor have been coming to me mentioning "you know chris is doing...or chris is...shouldn't you..." And it gets really confusing as if nothing is in order or on schedule

10:47:18 AM Joren: ok

10:47:19 AM Assata: So I've been trying to ground myself by writing a daily checklist and crossing things out, and also not be weird or controlling towards chris over it.

10:49:44 AM Joren: Ok! Please see if you can get through today and well review later today

10:51:56 AM Assata: Sounds good!

2. **08/17/2021 Excited utterance and present sense impression from myself to my supervisor about the inappropriate and condescending behavior of a white male Quality engineer, Robert Sweirzawski (aka Rob S or "Bob") during his inspection of my competed electrical cabinets (Ex. 364-366). References: ECF 8-1 (¶14-18, 120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

9:53:54 AM Assata: typing an update on the Quentin cabinet

10:37:16 AM Assata:

Climate notes: What was left out of teamwork update

Summary: It appeared as if Bob and Brenda(mostly Bob) was particularly nasty today- more focused on the drama and personal jabs of finding something new, rather than communicating with me effectively so that I can improve the cabinet—and having respectful/beneficial dialogue about completion stages and guildelines that I have.

Current Response: Bob and Brenda are encouraged to voice concerns also to you and Maria, I will be intentional in my communications with them, will keep an eye out for weird comments and threshold if it becomes a larger issue

Detailed examples:

1.

Bob called me from across the room that cabinet was not inspection ready and brought me over to ask what I saw wrong. He then(while laughing at me and encouraging Brenda to do the same) pointed out a scraper that I had laid there in case they wanted additional work done, he was mid lecture" when you say its ready for inspections...x.y..z.."

Before I clarified it is not post shipping prep. I dont believe he listened, be instead went into a debriefing on how we are all new, and we "all make mistakes"

2.

After giving my torque paint notes from Maria, Bob saw it as important to explain to me why torque paint is used and that it applies only to points that have been torqued, and that I need to follow my procedure, which I had quoted back to him.

3. Bob originally told me that the serial numbers were all wrong today. After reiterating to me unsolicited about what each item I had worked on was, he finally confirmed to me that the traveler just needed to be updated. Answered my question asking this with "Thats the best and neatest way"

12:53:06 PM Joren: Hmm. Thanks for the update on climate, ugh. Thanks. Next QA check, please include me on.

3. **08/30/2021 Present sense impression and excited utterance from myself to my supervisor about how Rob S' omitted my and a female engineer's notes his final report on a quality issue that we escalated, diminishing our involvement while referring to us as ladies (Ex. 367-370). References: ECF 8-1 (¶14-18, 120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

10:51:50 AM Assata: Its been an actual Jumble of interactions and updates today(and its only 10:49!) . But Im typing up a summary of an improvement we found for the ozteks so I will send that first and circle back

11:44:04 AM Assata: Here's the short

Maria looked at the stuff, called Bob over and sadly true to his currently compiling algorithmic behavior, he mans-plained it.

Context: This is algorithmic in context of his more damaging comments and condescending behavior towards me during the QA review of Quentin(ifyou recall, those climate notes).

Situation Specific Points:

1. I had expressed how excited I was to write the notes down so we wouldn't forget, and Maria told me to send them to Bob and he agreed. Instead he sent a one liner to Joe and cc'd us
2. He also left out what had happened and
3. Bob's delivery left holes in how far maria had actually looked into and thought through the issue

Last point and overall effect

4. Bob then called us ladies, which kinda underscored his behavior of not listening, not waiting for input that he agreed to receive, and inputting false information to the effect of misrepresenting an event.

Resolution and reasoning

1. The current resolution is to continue documenting and sending out communications electronically, so that what was said and done can be clearly spelled out.

Reasoning ; Comparing notes with Maria, we have each had experiences where Joe did not give benefit of the doubt for actions and thoughts taken towards an issue. Joe is filling in blanks

about what is not said(benefit of doubt not given), whereas Bob is overwriting what is said. While these differences are notable on the scale of obvious to subtle, both would stand to benefit from documentation

Open also to any supports you can imagine there and even in future case by case bases

11:52:29 AM Joren: Understood. Sorry this happened, was hoping to be there for the next QA time.

11:53:40 AM Assata: it wasn't even an inspection

4. **10/07/2021 Present sense impression from myself to my supervisor of Rob Rosenberger's criticism of the nature and scope of my work (Ex 371-372). References: 8-1(¶6-7, ¶10-13, ¶120-121(b-d), ¶124-129), Doc 15 (¶77-80),**

8:07:31 AM Assata: today Rob has informed me that I take too many notes, that quality should be taking those notes, that quality is a part of my job,, and then that they need to open a position for that.....

10:01:54 AM Joren: Sorry about Rob. Ugh.

5. **10/22/2021 Present sense impression from myself to my supervisor regarding the status of tasks assigned to me at that moment (Ex. 374). References: ECF 8-1 (¶5-6 ¶32-37, ¶44, ¶136-164), Doc 15 (¶82-83), Doc 20 (¶8-49).**

7:37:28 AM Assata:

I think I'm barley on time but typing before I leave so I don't forget at meeting:

Outstanding items for Monday

1. Front handle 2. reservoirs 3. PAI handles for ears

To do items 1. Document and express defective flow assembly to QA 2. Print and review flow assembly do to evaluate and torque other 2 assemblies. Cabinet status Page 43/59, shipping prep starts around page 53 so very little pages left.

Org status: Wait for containers to arrive then relocate and adapt inventory doc

Documentation goals: 1. Update 75 notes with Maria responses and highlight pages with changes to hand to Brian so we're both on same page for latest build Details 2. Update cabinet status doc for Daniel and add SNs/Traveler for "Momday" 3. type up and share 150 cabinet notes sheet., fill out longer doc as I have time

6. **10/22/2021 Present sense impression from myself to Maria Tabbut (female senior mechanical engineer) regarding Rob S's preparedness (relative to Brenda Randolph, QA technician and the only other black woman employee) for his Quality inspection of my completed cabinets (Ex. 375-377). References: ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

2:51:55 PM Assata: Hope in the checks have been restored. Rob came with a bowl of popcorn.

But Brenda came with notes and assembly sheet so they're going through the steps praise God

2:54:17 PM Maria: ahahaha

7. **10/22/2021 Adverse party statement from Quality Manager Joe Sokalski acknowledging my authoring of a report for quality escalation, as well as my submission of same report to the QA team and my supervisor. References: ECF 8-1(¶3, ¶6, ¶32-37, ¶134-163), Doc 15 (¶82-83), ECF 15-61, ECF 15-62, Doc 20 (¶8-49), ECF 20-5 to 20-16, ECF 20-21. Prior escalations: Ex. 850-855.**

5:35 PM Assata:

Hey Joe, For your notice, two of the flow assemblies procured from PAI arrived with, missing parts, an extra part, and incorrect installs according to their assembly Doc(A-01720). I have attached labelled images for each item, as well as the windchill assembly Doc. Here they are

below:

Missing Parts

1. Both flow assemblies are missing 1 quick connect each, as denoted by page 5(step3) 2. Both Flow assemblies are missing

2 caps each as denoted by page 7(step 1).

Extra Parts

1. Of these two, the first flow assembly has an extra G fitting(0100005618) as denoted by page 4(steps 2 and 6).

Incorrect Install

1. With cap +quick disconnect added, the first and second flow assemblies are angled to cap heights of 3 % " and 4 % " respectively. The spec denoted on page 6(step 5) is 1 % " .

2.. The second flow assembly also arrived with a loose joint.

[Attachments -01720.pdf; Missing Parts 1 and 2-Caps and Quick Disconnects.png; Extra Parts 1-First Assembly Double Fittings.png; Incorrect Install 1-Second Assembly Cap Height.png; Incorrect Install 2-First Assembly Loose threads.png; Incorrect Install 1-First Assembly Cap Height.png]

6:44 PM Joe S: Thank you Assata. I will be sure to share this with PAI and correct for future builds.

8. **10/25/2021 Present sense impression from myself to my supervisor of the former QA manager (Joseph Sokalski) assigning flow assembly compliance to Rob S. (Ex 378-379). References: ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

2:35:48 PM Assata: Joe's verbal response to flow assemblies is that he never read the email but sent it to Bob and sent Bob to PAI do check all the assemblies they have in inventory

4:46:44 PM Assata: Also I came to findyou to say that those flow assemblies are a nightmare and Im gonna try again tomorrow

9. **10/28/2021 Present sense impression from myself to my supervisor about the difficulty and time we spent together correcting the misassembled assemblies for completion of an in-demand enclosure (Ex. 380-381). References: ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

2:11:10 PM Assata: I have so felt led to add the for the flow assembly Maria did agree that it was difficult and was curious why we didn't just make PAI fix them and give to us

10. **11/16/2021 Present sense impression and recorded recollection form myself to my supervisor about the concern for and investigation of the integrity of QA checks due to unexplained changes found on cabinets that I had already submitted for inspection (Ex 382-388). ECF 8-1 (¶18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

7:56:53 AM Assata: The joint that was loose was supposed to be at 70-ft lbs. When pressed, water comes out, which means it was flow tested and passed flow test before this.

I've seen Bob try in vain to loosen that amount and he wouldn't have been able to with a huge show of effort.

Possibilities

1. Was never tighten to 70 by pai and was tight enough to pass but just close to loosening(unlikely without tubingbtk bring it low to leaking)

2. Was tightened to 70, passed testing amd loosened afterwards without mention.

3.(Extremely unlikely) failed test and we forgot about it.

I would propose flow assemblies have high torque joints checked and marked before install to display any shifts that may happen during or after testing.

8:04:48 AM Assata: Talked to Taylor, he said they do have a AC cabinet and Julian is bringing it up now.

8:08:34 AM Assata: ok I told Julian it'd be better to just wait since we know we have it downstairs and he'd just have to bring it up.

8:09:00 AM Assata: Also mistakenly asked Rob if he'd know any reason or anyone who could loosen these and he is upset

8:17:36 AM Assata: Hasn't snapped at me but is upset.

I mean 70 ft lbs is alot to loosen, but even if it were at 40ft lbs, it would still be tampering.

Reason 1: if it were loose enough to be two hand turns from water. It would have become gradually looser as hoses were added and removed

Reason 2: we also have some handsy engineers/folks who aren't afraid to poke stuff for presentation, or risk damage of products through multimeter tests.

I still conclude this it is post test.

I think proactively to protect against post test, poor construction, and unforeseen handling it may be best to

1. check the 70ft torque-points upon receipt (construction)

2. have them painted (indicator of handling)

3. Seal the cabinets before inspection. (Tampering) These do not protect against anyone stepping into test bay after Rob leaves each day suggestions welcomed there.

10:11:44 AM Joren: "I would propose flow assemblies have high torque joints checked and marked before install to display any shifts that may happen during or after testing."

This is excellent. Please do this. We **have** seen some of this in the field also, so please do, and see if we can update the document as well.

11. **11/16/2021 Excited utterance and present sense impression from myself to my supervisor about sexually inappropriate comments overheard in the main office section (which is generally male only) and additional follow up on repairing cabinet damage and sourcing tamper seals to prevent coworkers from damaging my cabinets (Ex. 389-429). References: Ex.856, ECF 8-1 (¶18, ¶27-28 ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

10:14:26 AM Assata: Random ppl from work "she was fair, balancedI probably got more from that session..." it be weird

10:16:56 AM Joren: Oh gosh, what?

10:17:31 AM Joren: [Direct response to message from 8:04:48 AM] Awesome. I think we might need this downstairs, unless it is to be tested upstairs first. I think it would make sense to just test it downstairs.

10:17:51 AM Joren: [Direct response to message from 8:09:00 AM] Oy.

10:19:24 AM Joren: Thank you for your patience. Sorry to be delayed on this.

10:19:13 AM Joren: [Direct response to message from 8:17:36 AM] Check torque - great. - painted, great, seal, awesome. After it leaves our team, and has been approved by QA, that's no longer our problem. Not great, but we can only control what we can.

10:30:11 AM Assata: [Direct response to message from 10:16:56] stuff i overhear from your side of the office

10:32:41 AM Joren: Oy. Not Cool.

10:37:32 AM Joren: Thank you for your patience with me this morning.

10:38:01 AM Assata: youre fine. Im going to shop for the tamper seals

10:40:55 AM Joren: Awesome, thank you.

10:41:20 AM Joren: Too much aggression here, wtf.

10:41:27 AM Assata: they have 1000 seals for \$325. 1" by 4". 2 per panel? top and bottom of each panel?

10:42:27 AM Assata: I dont put many things past a scientist..

10:42:51 AM Joren: Who's the scientist? Ron?

10:42:52 AM Assata: function

1: actio indicator

2. deterrent.

I ca totall y see someone trying to "tilt a panel"

10:43:06 AM Joren: two per panel, one per door/

10:43:45 AM Assata: [Direct response to message from 10:42:51] company full of science minded ppl, naturally curious and inclined towards testing/finding limits/bounds

10:53:04 AM Assata: he followed up with maria and asked her whatid told her

10:53:12 AM Assata: almost as if to check he wasnt being implicated

10:53:26 AM Assata: but also like I approache him as an expert to knw ways it could happen

10:53:31 AM Assata: ot to ask if bed caused anything

10:54:00 AM Assata: given his response I didnt tel him hed have to test, hes prob anticipating, but if he does that test, id rather that info come orm you

10:54:13 AM Joren: Rob followed me with Maria to ask what you'd told Maria?

10:54:40 AM Joren: Understood, either way, you want me to tell Rob about the pressure test.

3:05:50 PM Assata: Hey, I'm thinking that the flow assembly that Rob flagged, the one. We did is the right one and that the 9thers ones angle is too harsh

3:06:00 PM Assata: At first I thought this put of sheer bias and labor

3:10:39 PM Joren: Please help me understand this, I'm sorry.

3:14:07 PM Assata: But after looking at both and considering the req of 1.75" on an angle, the top one looks right which means the angle on the other is off, and the angles on alot ofthe others are likely too large as well

3:14:17 PM Assata: Omw

3:15:12 PM Joren: Oh... Rob == Bob.

3:15:51 PM Joren: You're saying you think the other 150 flow assemblies are needing to be updated with reworked ones for the angle?

3:16:03 PM Assata: Correct

3:16:37 PM Joren: Ok. Please request from inventory, and send these back for repair after you get the first.

3:24:59 PM Joren: Thank you!

3:25:39 PM Assata: Ngl I did not type this messages. Teamwork prepopulating and accidental hand dial

3:26:01 PM Assata: [Direct response to message from 3:26:01PM] did not type this at al

3:27:28 PM Assata: But the answer is yes. Monday has assemblies: a and b 1 .Bob flagged assembly a which we made. But b looks wrong 2. Most of our assemblies look like b

3:28:15 PM Assata: To be clear you're saying request a replacement for b and then send b back

for test?

3:28:21 PM Assata: 'Joren: Why Rob and not Bob?' Typo

12. **11/18/2021 Present sense impression from myself to my supervisor about conflict with Rosenberger concerning use of the lab lift and the continued resolution to source and purchase one for the PIT team (Ex 430-445). References: ECF 8-1 (¶4-6, ¶10-13, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

11:32:15 AM Joren: Have you followed up with Bryan on the AC / Inverter for that cabinet?

11:33:04 AM Assata: I will check in then do the other stuff and see If he can help me add both with the lift

11:33:22 AM Assata: Rob seems to feel that only test bay stuff should sit on alift overnight or during hte day

11:33:37 AM Assata: efficiency would benefit us all

11:33:45 AM Joren: I agree.

11:33:57 AM Joren: Maybe tomorrow morning we can look at lifts again.

11:34:33 AM Assata: I take things personally when i see different behavior with others, but I know hes come a ways from wher ehe was months ago

11:35:24 AM Assata: and ye i will try to look when I can. mostly deals like that come through auction or post, there was one for sale but wed just missed it and it was sold

11:35:30 AM Joren: I understand. I am not telling you, only asking you to try. It's hard.

11:35:44 AM Joren: No worries on "deals", we'll go brand new.

11:38:30 AM Assata: the whole 3500??

11:38:45 AM Joren: Let's look at it tomorrow.

11:38:49 AM Assata: bet

11:38:58 AM Joren: bet?

11:39:38 AM Assata: I was shooketh at the confirmation

13. **11/18/2021 Present sense impression and excited utterance from myself to my supervisor of Rob S' passing of assemblies that are outside of Maria Tabbutt (the lead mechanical engineer for this unit)'s specifications and willful obstruction of the passing of my cabinet builds (Ex. 446-461). References: Ex. 857, ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

11:40:11 AM Assata: mark just brought flow assemblies(angle is still wrong) but apparently QA passed them which is whatever

11:40:27 AM Joren: Within Maria's tolerance?

11:40:35 AM Assata: gonna remove the other two and give to him

11:41:05 AM Assata: theyre within her new tolerance, theyre at leas .5" or more beyond the oriinal spec

11:41:23 AM Assata: idk how QA or even Mark isn't just looking at these and measuing

11:41:33 AM Joren: I'll talk with QA.

11:41:41 AM Joren: Appreciate it. Do you know who passed them from QA?

11:42:45 AM Assata: *unproduced attachment*

11:43:05 AM Assata: But idk. Prob Bob be I showed Brenda how yesterday but I'll ask

11:57:10 AM Assata: it was bob [Bob S]

11:58:28 AM Assata:

1.I confirmed he had passed them.(i asked/showed brenda first and she ws fed uP)

1.5 I mentioned the latest email that went out on tolerance(he claims he never saw-this is

important)

2. I showed bob the item put it in position of the photo I sent you and cited the spec
3. he didnt believ me or eyes [bo]th and pulled a ruler off his desk
4. he feigned surprise that it was nearly 2.5" despite him placing ruler in wrong place
5. He then looked at me with a straight face nd said "it doesn't matter"
6. i reiterated the original email contents and what he did by failing the wrong assembly and he smiled at me saying "we didnt know" and asked me to to send him the other email

12:05:57 PM Assata: contradictions:

A("it doesn't matter")

1He was going to say the angle being off doesnt matter after citing an angle being wron[g] on one of the units.

2He went to PAI after angle and torque issues and said he had f[ai]led them due to this b[u]t will now say it doesnt matter

3He was privy to the initial email with all issues includng angle associated with the items and said it doe[sn't] matter

4he decided to either, not read the assembly doc these are assesed, to, or read it and ignored that part.

B("we didn't know")

1 .he had access to the assembly doc, should have read it and "he didn't know"

2. he had access to original email detailing this a s a c[au]se for concern and and "he didnt know"

Conclusion

This man has shown, by sheer ignorance or lack of weight on words of mine or Maria(misogyny) or some other issue, that he made his own decision about a spec and was "passing things" as he saw fit without communication, documents be damned.

Impact

This lessens the design, reliabilty and quality of products from the level that Momentum's tech/engineering/design teams can reach, down to the capabilities of one man, who doesnt communicate.

12:07:06 PM Joren: Thank you for the detailed explanation!

12:07:22 PM Joren: Sad that he's doing this. I'll address it too.

12:07:32 PM Assata: he was willing to have folks go in circles on his own incompetence. I like dan and seengn him around makes me more internally calm but ye that whole scenario is trash

12:07:51 PM Joren: Agreed.

14. **12/14/2021 Excited utterance. recorded recollection and present sense impression from myself to my supervisor regarding the antagonistic behavior of Rob S AND sexual harassment/coping concerns about Rob S, Taylor Johnson, and Daniel Winters (then-Supply chain manager) expecting me to do additional cleaning instead of Rob Rosenberger on a cabinet he was responsible for (Ex. 462-538). References: ECF 8-1 (¶14-18, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

9:21:12 AM Assata: I feel like he's determined to waste my time

9:21:27 AM Assata: *Attachment sent to Joren : Screenshot shows email from Assata Acey to QA team at 8:58 AM and reply from Robert "Bob" Swierzawski at 9:11 AM:

Morning All, The cable connectors for the ozteks in the the fortrum-oslo and Soltrans cabinets have all been checked, tightened and painted yesterday afternoon to indicate further loosening.

Please review and inform me of any further barriers to pre-test approval. Bob, Thank you for pointing this out!

Response from Bob: Come over and say Hi when you get a chance.

9:21:46 AM Joren: ... ***box with shrunken text***

9:21:52 AM Joren: Please don't text and drive.

9:22:47 AM Joren: I'll follow up with him this morning, please hold off "coming over and saying hi..."

10:21:06 AM Assata: Do you have Busy work for basement?

10:23:17 AM Joren: Please pull the keys for the tool box

10:23:25 AM Joren: Open the Green cart over here on it's own.

10:23:30 AM Joren: Put away multimeter, probes, etc.

10:24:11 AM Assata: Kk. Also Bob emailed to say it's all a pass so need to avoid hovering while he avoids signing travelers so I can copy/notify rob

10:25:03 AM Joren: Please details? lost.

10:25:17 AM Assata: Bob likes to take time to sign travelers

10:25:37 AM Assata: Before my Thanksgiving trip he took a smoke break and various other things to avoid signing to where I spent an extra hour

10:25:40 AM Assata: Waiting on him

10:25:51 AM Assata: After the inspection

10:26:33 AM Assata: So it's easier for me to avoid pestering him be i know that will want to. Esp with Rob posting his test schedule emails in such a loud but harsh way

10:27:00 AM Joren: Gotcha, thank you.

10:27:21 AM Assata: Instead of coming across as effective communication, it feels like he wants to avoid talking to me when at all possible and only communicate when he needs something. And putting it over the travelers was much

10:27:30 AM Joren: Ughs. Yes.

10:27:48 AM Assata: And telling me all that just for the time almost implies other things

10:28:01 AM Assata: But yeah of course I'd want to tell him it's signed and he can leave me be

10:28:08 AM Joren: Would you please get the DT white sealing plug part number for Tina and message it to both of us? It should be in the wire cage - in a white plastic box, on the far left cage, top shelf

10:37:13 AM Assata: ***unknown Attachment***

10:37:22 AM Assata: This is the container for dt plugs

10:37:29 AM Assata: There are a LOT of DT boxes.

10:37:33 AM Assata: Looking for sealing plugs

10:37:44 AM Joren: Possibly in the DT pins box - in the back row of boxes on the right, top

10:37:49 AM Assata: But this was the box labeled for connector plugs

10:38:12 AM Joren: fair... plugs \neq sealing plugs

10:40:54 AM Assata: Ok so the pins box doesn't have

10:40:56 AM Assata: It

10:41:11 AM Assata: Praise God the travelers are signed

10:41:21 AM Assata: I'm going to make copies

11:01:18 AM Assata: Copies made doors locked

11:01:23 AM Assata: Keys removed

11:01:37 AM Joren: Yay!!!

11:01:46 AM Assata: Thank you. Please ask Brian for help finding the DT plugs then.

11:04:36 AM Assata: Ok I've gone through nearly every box on the top left shelf of the cage and have found d no lugs

11:04:39 AM Assata: Plugs

11:04:59 AM Assata: Unless, these are items we require per assembly through inventory

11:06:13 AM Assata: The only th ing similar would be the super seal

11:06:21 AM Assata: Te super seal container

11:06:26 AM Assata: And it's very different

11:06:39 AM Assata: *unknown attachment*

11:09:15 AM Assata: Omar said brian had rhen last

11:11:57 AM Assata: Found it

11:27:08 AM Joren: Great!

12:31:47 PM Assata: Bob asked to see my BOM for the 75kw US

12:33:05 PM Assata: ANs now is walking around with my assembly doc

12:33:10 PM Assata: Eating lunch with it..

12:34:08 PM Joren: why are you so keen to give it up? ugh. dam it Bob

12:35:16 PM Assata: ... he asked nicely being nice to ppl should backfire

12:35:27 PM Assata: Hw told inventory they need to wipe down theb75 before shipping

12:35:41 PM Assata: Taylor and Daniel W gave me puppy dog eyes

12:36:08 PM Assata: At what point does Rob have ti to cabinets when he finishes testing? Do we all have to hand off clean cabinets?

12:36:10 PM Joren: Tell them to request it via the form...

12:36:17 PM Assata: Or is that inventories Job

12:36:35 PM Joren: Not our problem.

12:36:45 PM Joren: Test hands it off to shipping.

12:37:02 PM Assata: Even if it gets dirty during test?

12:37:21 PM Joren: Test's problem with Supply Chain.

12:39:36 PM Assata: alrighy I can wipe this one and tell them to work it out with Rob and them in the future

12:39:53 PM Assata: Bc I am a girl and it looks bad

12:39:56 PM Joren: Or just ask them to tell me.

12:40:00 PM Joren: WHAT?

12:42:16 PM Assata: Lol if it's not for my station than to defer to me for cleaning looks bad

12:42:39 PM Assata: #domesticity

12:43:13 PM Assata: Meh. I'm in an ok mood rn

12:43:29 PM Joren: I'm not

12:45:43 PM Assata: Not Bob coming back without my assembly to ssay "yeah assata the only thing this thing needs is vacuuming"

12:45:52 PM Assata: I'm going to start laughing at him

12:46:11 PM Assata: Best way to lighten up

12:51:34 PM Assata: I think he asked Omar what he did with moment his mother gave him □ Omar had to ask him a few times to repeat himself. He says he's fine tho

12:54:50 PM Assata: Bwhaha

15. **03/02/2022 Excited utterance and present sense impression from myself to my supervisor about internal stress and barriers caused by the racial and gender harassment I experienced at work AND his adverse party statement of sending emails to the supply team through him to cope with some of these issues (Ex 808-826). References: ECF 8-1 (¶121, ¶124-129, ¶175-176), Doc 15(¶77-80).**

4:03:31 PM Assata: re uniforms: how to get around it being a weekly charge?

4:03:46 PM Assata: Do I ask hary to purchase and coordinate?

4:04:15 PM Joren: Sure please.

4:06:07 PM Joren: And put in as "approval needed"

4:34:58 PM Assata: im so scared to send this email

4:35:06 PM Joren: Which one?

4:35:09 PM Joren: Wait

4:35:12 PM Assata: for lab uniforms

4:35:19 PM Joren: Ok. Pass through me then.

4:35:46 PM Joren: Just do everything as you would, just remove purchasing from the to line

4:38:55 PM Assata: done

4:49:34 PM Joren: I've noticed that the last 2-3 days you've been super aversive, in a lot of ways.

4:50:45 PM Assata: idk if its more or if Im being honest about why some tasks take longer

4:52:04 PM Assata: I also feel partially responsible for ppl hurting my feelings-like I should make it easier for them not to—I really want everyone to be happy and not just me. Jorges thoughts got unde my skin a bit and the world always screams about the perspective of the oppressive person in a situation

4:53:16 PM Joren: [*unproduced image*] You should not have to defend yourself for being uncomfortable. You're a human being with inherent value!

4:53:22 PM Assata: [“]Joren Wendschuh You're saying you're stressing out over things much more often in the last few days. Some things you didn't worry about before, outwardly[“]. yes. like Im trying hard to be honest about my blockers so stuff can get done. 1 am also more invested in how everyone feels. I think being more overwhelmed allows me to care less about others

4:53:38 PM Assata: [“]Joren Wendschuh 🙄 You should not have to defend yourself for being uncomfortable. You're a human being with inherent value![“] noted, will try to balance myself

4:53:50 PM Assata: I am going on a tip to my fav cupcake shop soon

4:53:54 PM Joren: By **default** you have value and should be treated with respect, and your boundaries honored

16. **03/22/2021 Excited utterance and recorded recollection from myself to my supervisor about Rosenberg removing my assigned tools from my workstation (Ex. 539-541). References: ECF 8-1 (¶4-6, ¶10-13, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

3:16:47 PM Assata: Rob took my tools from my workstatoin yesterday morning and watched me look for them until i took them from tool area and reused. I was actively using them

17. **04/01/2022 Excited utterance and present sense impression from myself to my supervisor about Rosenberg's opposition to the team's newly purchased lift and inappropriate statement he made to others about me (Ex. 542-548). References: ECF 8-1 (¶4-6, ¶10-13, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

11:26:32 AM Assata: Rob: "brand new one, to make the bitch happy" *says something else (that I can't quite parse w/o making up words) As RD tech looks away . Then walks from test bay to wire bench * *I look over feeling guilty(?)/Wondering about the lift I'm holding* *Rob promptly walls into random fire extinguisher on the floor.. Looks around in shock*

12:53:06 PM Joren: That's totally uncalled for. That should be brought up to HR.

12:53:32 PM Joren: I am going to reach out about that. That's not acceptable.

12:57:25 PM Joren: I'm sorry for not reading your email yet. I will today.

1:00:09 PM Assata: I mean the fire hydrant was a highlight. He asked Omar and [n]o one knew where it came from. It almost appeared from thin air. Idk who the expletive was or what the thing was. It was a moment of discomfort and yet mysterious [b]alance

18. **04/07/2022 Present sense impression from myself to my supervisor of seeing Rob S tampering with one of my builds before an inspection (Ex. 549-554). References: ECF 8-1 (¶4-6, ¶14-23, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

11:04:41 AM Assata: Ci cern-1 saw Bob touching cables this morning while I chatted Maria.

11:04:57 AM Assata: I've gone back and retightened stuff

11:05:01 AM Assata: And locked that side

11:05:29 AM Assata: Also Taylor has cabinet key on his desk. Idk y but I just hope Bob or others aren't using it

11:05:54 AM Joren: Thank you. I'll bring this up with Joe.

11:08:09 AM Assata: It was so quick. I'm going to try to check stuff like you said lat year and try to lock it but wow

19. **04/21/2022 Present sense impression and excited utterance from myself to my supervisor about Rosenberg (white coworker) criticizing the PPE I qualified and ordered to my white male team member (technician, Brian Kenny) while refusing to acknowledge me (Ex. 555-570). References: ECF 8-1 (¶4-6, ¶10-13, ¶120-121(b-d), ¶124-129, ¶175-177), Doc 15 (¶77-80).**

3:28:16 PM Assata: Lab coats are here

3:28:38 PM Assata: **unknown attachment**

3:29:14 PM Assata: Rob asked brain what they were and ignored me when I said. As he walked past he expressed that no one's gonna wear them. It's only for a short procedure, so I'm gonna let that go

3:36:09 PM Joren: They arrived today about noon. Julian asked me bout them. Just ignore the old grouch. 1 placed them on the rack in the back. Maybe we get a hanging rod for them. TBD. A basket for them when used was also placed in the back. Please find a nice spot for that where it's not in the general area and put up a sign to keep trash out that it's only for the company (robins?) clothing to be washed

3:39:33 PM Assata: Clemens*

3:39:51 PM Assata: Did you ever get to follow up with Harry or let it pass?

4:05:13 PM Assata: Robs take on our team "on that team...Omar's the only one who really tries. I have no idea where Seth's at" At this point I wish there were sound barriers between us and test area.

4:05:46 PM Assata: I'm hoping they're gone by the time I finish tubing so that I don't have to ask for the lift back for fans

4:06:26 PM Assata: He's always making comments lke that. Face to face during meetings last year abd the one he left this year, and on his own 3 this past month. I think it's worse that he's

saying this regularly to other ppl. It makes any jokes they crack and laugh at after feel booty

4:06:04 PM Joren: Do you want to move the cabinet back to bear Darren?

4:07:15 PM Assata: I think so. Darren's nicer

4:07:42 PM Joren: Yup. Ok.

4:07:59 PM Assata: Is this laundry basket?

4:08:27 PM Joren: Thanks for letting me know. I'll have another conversation

4:08:30 PM Joren: Yes

IV. Transcripts Concerning Disability Discrimination (9 Transcripts, **Complaint Counts XIII-XX**)

1. **03/28/2022 Excited utterance from myself to my supervisor about frustrations between my emerging disability, the noncooperation of my coworkers, and meeting the needs of the company (Ex. 571-575). References: (ECF 8-1(¶44, ¶111-112, ¶115, ¶128, ¶175-176) Doc 15 (¶77-80). Supporting exhibits: Ex. 858.**

7:21:17 AM Assata: In case we dont get to chat about cabinets(6 points):

1. -1 really wish I could snap my fingers and have the cabinets done and notes populated.
2. Despite all of the delays and whatnot, I really want to keep this on schedule for Maria and the UE review team.
3. Sometimes it disappoints me that 1 truly cannot make up for everything, and I am finite. Sometimes that makes me feel guilty or powerless.
4. Lately th3 strenuous part of the build have been reminding me of Wednesday and all the symptoms leading up to it. While I wait for some of the slower effects to go away, it also makes me feel weaker and sad and guilty.
5. This is a conflicting project. On one hand it is a project 1 said yes to , and take great pride in ensuring the success of. On the other hand I feel limited in my ability to immediately complete it, and sometimes distracted by it emotionally. I also feel bad about other projects that I also feel drawn to and responsibke for(Jira, UV) that seem to suffer while I put most mental energy in this..
- 6.(Conclusion) For this reason. I'm trying to do my best to complete it thoroughly, be nice to myself, and look forward to it's completion—a big battle won and accomplishment for me

7:40:11 AM Joren: Thanks for being open and honest where you are.

8:38:25 AM Joren:

2-1 understand some of your drive here - try and relax some about it - certainly no need to stress over it. 3 - Please don't! You're not a god, you're a human. We are all fallible, and certainly not perfect. All we can do is give it our best and do what we can. No one should be asking you to "make up" for anything. We're all human. It'd not be fair for you to even be considered responsible for others failures. All I can ask is that you're balancing self care with this, leaning on the self care part more.

4 - Do you think the stress from work caused this? :(I'm sorry you're going through this.____

5 - Nothing in life is immediate. Self care, and balance in life is the goal, not to get to the "end game" soonest! Let me know if you'd like to talk more about balance and priorities here.

6 - I'm glad. This is important. Be nice to yourself. Put effort into life, work, passion, rest, and all places worthy of it.

8:46:47 AM Assata: *unproduced Attachment*

8:52:59 AM Joren: Thanks for sharing. Wasn't intending to pry, sorry if it came across that way. Please drive safely. That's a lot for one human to even have to process in a week, let alone with everything else going on. Please be vocal / forward where you can on ways that myself, or others, can assist.

2. **4/05/2022 Present sense impression and excited utterance from myself to my supervisor about the progression of my illness and scheduling of different doctor's appointments (Ex. 576-602).**

References: ECF 8-1(¶44) Supporting exhibits: Ex. 858.

7:43:52 AM Assata: Well how you gonna respond at 4am

7:44:07 AM Assata: Lol I can't anticipate that

7:44:32 AM Assata: You said to contact you when I got home but when I got home around 2 teams was saying you were a call.

7:46:43 AM Assata: So I waited until 5 but I think you'd logged out

7:48:41 AM Joren: Hmm. Sorry!

7:48:46 AM Assata: I have a doctors appointment today at 345 to make sure I © don't have any lingering issues, and that the headaches, kidney flushes and heat flashes(at that intensity level) won't be recurring.

7:49:01 AM Assata: ["Joren Wendschuh Hmm. Sorry!["]

You're fine. I just wanted to clarify and to still check in

7:49:01 AM Joren: Yay. Best wishes

7:49:13 AM Joren: Thank you.

7:49:45 AM Assata: ["Joren Wendschuh Yay. Best wishes["] **7:51:04 AM Assata:** Best wishes? I still want to come in and try to clean/replace the remaining screws

7:51:04 AM Assata: I didn't listen immediately when you said to leave and that's when I got the worst heat flash trying to finish it. I went outside with sweat on my face in 50degrees with no sleeves and thought it was a 72degree day... it wasn't.

7:51:06 AM Joren: Best wishes that the doc is chill. And all is well.

7:51:37 AM Assata: ["Joren Wendschuh Best wishes that the doc is chill. And all is well.["]

I'm going to the nice one in North Philly whos black from August

7:51:41 AM Joren:["Assata Acey I didn't listen immediately when you said to leave and that's when I got the worst heat flash trying to finish it. I went outside with sweat on my face in 50degrees with no sleeves...["]

unproduced image . Oof That is rough.

7:52:50 AM Assata: It was crazy. Heat flash is one but to feel like my whole arms are on fire and sweat iwithin 30 seconds is too much. Then getting abdominal cramps during prayer meeting. It's tew much

7:53:07 AM Assata: I just hope stuff is decent today

7:54:03 AM Joren: Me too. *unproduced image* That's oof.

7:56:59 AM Joren: I'm so sorry to hear that you're going through all that. That sounds terrible.

8:05:49 AM Assata: The bright side is its in waves. So I don't have to experience it all the time just on and off. And more intense when straining or an adrenaline related task(leading a planned prayer) So I get lots of breaks. This morning is chill

8:06:31 AM Assata: So I'll try and do these bolts and maybe work towards completion the inside before I go and I'll keep you posted

8:07:03 AM Assata: And you wanted to do jira today at 1.. Will you be in person for that?

8:09:00 AM Joren: Okay. Good luck. Do you have a COVID test available if you have any concerns it might be something other? Jira at one was what I thought might make sense. Let me know which way you would prefer. I'll be in person at the shop at that time but can do either.

8:10:06 AM Assata: I do, I've been taking them each time I get mucus and it won't kill me to take one again for this week's theme

8:10:11 AM Joren: Also can change time.

8:10:58 AM Joren: ["}Assata Acey I do, I've been taking them each time I get mucus and it won't kill me to take one again for this week's theme["

Not telling you to. Just asking if you have the things available to do so.

8:35:25 AM Assata: Rip welp I already took one and I took it as a restrained (small)concern or thought

8:35:51 AM Assata: Eta 940

3. **04/08/2022 Present sense impression from myself to my supervisor about continuing in-person duties, the progression of my illness, and dissatisfaction with the misclassification of my role (Ex. 603-622). References: Ex.859-860, ECF 8-1(¶3, ¶6, ¶32-37, ¶44, ¶136-164), Doc 15 (¶82-84), ECF 15-59-ECF 15-63, Doc 20 (¶8-49).**

6:12:18 AM Joren: Are you okay?

6:17:43 AM Assata: Yep

6:25:46 AM Joren: Lol. Too late.

6:36:32 AM Assata: Rip

6:36:37 AM Assata: Ruined sleep for everyone

7:05:14 AM Assata: Can you follow your with harry about that extra mount I never received?

7:05:22 AM Assata: Follow up with Harry

7:05:30 AM Joren: I can...

7:05:57 AM Assata: Be I'd be asking twice

7:06:19 AM Joren: I can. Would you want me to?

7:45:40 AM Assata: Good article that also highlights rhe importance of formalized roles

https://www.huffpost.com/entry/invisible-work-women-office_n_624c4effe4b0d8266ab18824?utm_source=Sailthru&utm_medium=email&utm_campaign=Momingfl&7-22&utm_term=us-morning-email

7:58:59 AM Joren: Hm ok please email

8:00:55 AM Assata: Email?

8:02:16 AM Joren: Yes.

8:02:35 AM Assata: What am I emailing. If it's Harry I'd rather go without

8:02:48 AM Joren: The link...

8:03:20 AM Assata: But also joren I am very dizzy m and my legs are folding when I walk. I'm going to try to take a nap(in my car) and then head to our meeting. If I didn't feel better I'll probably go home and do online work there (set me cabinet goal for wed)

8:03:38 AM Joren: Uh. Yeah. Go home.

4. **04/11/2022 Present sense impression from myself to my supervisor about the medical investigation of my illness and plans to work from home (Ex. 625-628). Supporting exhibits: Ex 861. References: ECF 8-1(¶44).**

7:18:06 PM Assata: Left at about 2 (I went to come find you when I had the appointment but didn't find and forgot) Notes: Bulkhead panel is looking ok. [*ok emoji*] the gasket pinches at

torque, but the way the plastic threading is, I'm hesitant to overwork it. Flow cables are sealing a bit crooked. But alas

7:25:25 PM Assata: They're checking iron and thyroid and confirming sugar stuff and hormones stuff. They already confirmed miscarriage but don't think that should cause all this (and affirmed that it was ok for me to have not gone in for one that came that early)

7:26:51 PM Assata: Will do the work from home tomorrow morning after blood work and then try and come in Wednesday

7:27:22 PM Assata: I'm hoping that around that time they'll have more info to adjust as needed.

5. **04/18/2022 Present sense impression from myself to my supervisor about my choice to approach CAO for unpaid time off so that I can go to the doctor and complete my work without overexertion, and my impression of her as predatory (Ex. 629-714). References: Ex. 862, ECF 8-1 (¶44-50, ¶234-236), Doc 15 (¶81).**

7:40:59 AM Joren: Do they have a name yet?

7:41:03 AM Joren: (besides adorable?)

7:41:07 AM Assata: so.....

7:41:15 AM Assata: guess whos messing in shenanigans

7:41:24 AM Assata: they dont have a name yet were waiting

7:41:32 AM Assata: but Im also probably being irritating

7:41:36 AM Assata: so heads up

7:42:23 AM Assata: *unproduced attachment*

7:43:15 AM Assata: its me replying to Judy's PTO warning from dec like; "choosing between passing out at work and being able to rest later seems a bit ableist and wrong" not in those words tho

7:43:47 AM Joren: FLSA or FLMA?

7:44:01 AM Assata: My vacation looks fine though. For now. I am trying harde to communicate any issues though to pevent long term bitterness

7:44:05 AM Joren: Understood. Thanks for the heads up

7:44:23 AM Assata: ["Joren Wendschuh FLSA or FLMA?["]

I think those only apply to folks working more than 12 months

7:44:28 AM Assata: im on month 10

7:45:01 AM Joren: Ah.

7:45:03 AM Joren: Gotcha.

7:45:06 AM Joren: :(Sorry.

7:45:32 AM Joren: Feel free to include that your keeping up with your tasks and schedule per your boss. It doesn't need to be all about you [*unproduced image*]

7:45:37 AM Assata: oh im sorry, FLSA would be a ederal level of employee potections which doesnt defln full time hours

7:45:42 AM Joren: And with the "engineers" you are working with

7:45:58 AM Joren: (aka Maria, Tina, Erik, Darren)

7:46:02 AM Assata: FLMA requires 12 months of laboe

7:48:24 AM Assata: [*unproduced attachment*]

7:48:46 AM Assata: its more specific application of the second to last sentence but hopefully it doesnt make the tone too heavt

7:51:02 AM Assata: im going for : "I know the applicable laws, but Im more interested in your

help than to attack you" It's also a paper trail for whether a policy is encouraging overwork to detriment of company—which should be addressed be ppl shouldn't be making those decisions/its a huge liability and lowers quality of work.

7:52:16 AM Joren: Are you looking for suggestions on wording / overall?

7:59:56 AM Assata: meh. I dont want to do too much to where it doesn't sound like me anymore. But glaring tone or disrespect notes are welcome

8:00:20 AM Assata: [*unproduced attachment*]

8:07:49 AM Joren: Okay, keeping it high level and looking to avoid shade from Judy - I'd lessen the emphasis on "I know the applicable laws" part - she knows. *I'd more focus on the 40h/wk min.*

my understanding is that is due to our handbook calling "full time" work being 40h/wk, thus driving our health policies for "full time employees" to need to have 40h/wk min.

I think that's silly, and I think that should be changed, to be clear. If that's changed, then the "why" is less necessary, as long as the supervisor approves of it, at least is my thought.

Good luck.

8:18:32 AM Assata: i honestly feel given her character, she seeks to get over on folks where she can and especially given her willingness to throw weight around with Seth—I feel that she often leans towards assuming folks dont know the laws/the right laws/more than her - i also dont trust things not in writing with her.

8:19:02 AM Joren: Okay!

8:19:19 AM Assata: in the even she says no, this is at least a record of me asking to do unpaid time off and suggesting the ultimatum given as an alternative is unsafe and detrimental-and she would be saying no to that

8:19:23 AM Joren: Above is only my thoughts. [*unproduced image*]

8:20:07 AM Joren: I appreciate you listening, and giving them thought. That's all I will ask for!

6. **04/18/2022 Present sense impression from myself to my supervisor of CAO's declination to give written responses to my concerns and my personal conflict with the company's culture towards me, AND reputation concerning character and adverse party statements by my supervisor on the predatory intention of CAO's behavior (Ex. 665-682). References: Ex.863, ECF 8-1 (¶45-50, ¶128, ¶234-236), Doc 15 (¶81).**

8:26:38 AM Assata: Lol she wants to speak in person

8:26:55 AM Assata: I ll go in listen, and add it to my response log

8:27:00 AM Joren: Typical power play

8:27:20 AM Joren: ["Assata Acey I ll add it to my response log["
What's that?

6:49:13 PM Joren: Must have missed that part. Sorry

8:30:01 AM Assata: Bc I know she's nasty

8:30:07 AM Assata: [*unproduced attachment*]

8:30:59 AM Assata: It's when you write a dated journal of what someone says to you-and document your communication of this to family or friends to create a legally probable record. It's the best workaround for ppl who refuse to be accountable to their words or decisions in writing.

8:31:35 AM Assata: as they tend to avoid any documentation for what they said—leaving the vey recollection they intend to fall back on uncorroborated . Especially when there's a pattern of their actual behavior, be it starts to line with more objective items(which would otherwise seem

inconclusive together) and bridge together to form reasonable doubt

8:37:31 AM Assata: Ok that one was too hostile

8:37:49 AM Assata: [*unproduced attachment*]

8:39:49 AM Assata: I promise I want to work here. I want this to also be an improving place. I just really hate predatory power plays and accountability shirking. If you can't say it with your chest then don't. Because to me it seems like a way to cheat ppl out for stuff that can't be rationalized. Im gonna chat with her when she's free and write my notes down after

8:59:16 AM Joren: with your chest?

9:00:46 AM Joren: I believe you. I want you to work here too.

I really hate predatory power plays and shirking, it irks me to no end. It also really bothers me that I'm not enough of a wordsmith to be able to fight it effectively. Grr.

9:04:28 AM Assata: laughs in: the skills of my mother, father and paternal gma combined. I may not win but I will try to push for better im getting better at not letting her rip my life force out. draft response email prepopulated to avoid fatigue later. [*unproduced attachment*]

9:04:28 AM Joren: Irks isn't strong enough. It gets in my mind and grinds away for hours into days before I can even let it go for my own sake.

9:06:07 AM Joren: "If you can't say it with your chest" what's this mean?

9:10:20 AM Assata: "say it with your chest"

Is a diasporic expression used without gender, stemming from reference to a common male puberty experience chest is emphasized here

for a source of hair, seen as a symbol of toughness, coming of age, and the inalienable respect attributed inherently to being "grown".

due to association 1, its use to derive a deeper vocal tone, also representing toughness, coming of age et. cetra

Meaning, that if you are unable to state something loudly(read, boldly or proudly), banking on it "flatfootedly" or with everything that you are or have learned(read, integrity/"grownness"), **regardless of reasonable consequence**, then it is not worthy to be said.

9:11:30 AM Joren: Hmm. Curious. I've never heard of that, or anything like it before! Wonder what it's etymology is.

7. **04/18/2022 Excited utterance, present sense impression from myself to my supervisor about the CAO's in-person statements granting me accommodations and support for my illness, in addition to plans and concerns for others who may need accommodations but are being misled or discouraged by CAO (Ex693-714). References: Ex.864, ECF 8-1(¶51-52, ¶230-233).**

12:12:03 PM Assata: I am happy

12:12:24 PM Assata: Also think I got biased treatment

12:13:27 PM Assata: Judy said they don't give unpaid pto be ppl use it for casual absences without notice But they will accommodate under 40 with benefits intact if you set up a meeting about medical issues

12:13:56 PM Assata: she also blanketly encouraged me to work from home more or whenever there's a task delay

12:15:17 PM Assata: she also is emailing me an accommodations form for my doctor to fill out on how my schedule may need to be adjusted but as long as I can do 30+ she said they can let the pto bit go.

12:17:10 PM Joren: Hm.

12:17:39 PM Joren: ["Assata Acey Also think I got biased treatment["

Please confirm this is about what follows, not about what proceeded. Also confirm if positive or negative bias

12:19:07 PM Assata: ["Joren Wendschuh Please confirm this is about what follows, not about what proceeded. Also confirm if positive or negative bias["

I suspect she's giving me a nicer and more workable answer than she gave Seth on account of my emails and concern of lawsuit

12:19:45 PM Assata: it is looking like a good outcome for me but I am hoping others who need it get the same.

12:20:05 PM Joren: Understood. Thanks. I'll poke this a bit.

12:20:06 PM Assata: ["Joren Wendschuh Please confirm this is about what follows, not about what proceeded. Also confirm if positive or negative bias[" follows. Positive

12:20:46 PM Joren: Note - due to keeping things confidential, I may or may not follow up with you on the status.

12:21:56 PM Joren: Please do: copy me on what Judy sends as a form Let me know what accommodations you request - or could be helpful.

12:22:28 PM Assata: ["Joren Wendschuh Note - due to keeping things confidential, I may or may not follow up with you on the status.["

I'm probably going to update anyway

12:22:52 PM Joren: Sorry -I meant with others in the team.

12:23:16 PM Joren: Feel free to update where you feel the desire to

12:23:35 PM Assata: Oh I was unsure how it would be followed up with team re:the last meeting discussion on pto and hr issues

12:23:51 PM Assata: I went looking for Seth immediately after the meeting to share the result I had gotten incase he had been told the same thing abt hours and accommodations etc

12:24:25 PM Assata: I told him about the email and meeting this morning. Originally id thought hed gotten what he needed and would be glad but was dissappointed when he said his attempt at unpaid time off had been denied and he was also stressed where I was

12:31:14 PM Joren: I don't know what the last three mean, and they bring further questions on the above. I don't feel confidant that we're talking apples and apples.

12:31:39 PM Joren: Feel free to join me in the conf room early, to discuss.

3:32:37 PM Assata: I think getting anxious when tired is common so I wasn't sure. But I wanted to communicate be I was feeling like I should work harder but Luke my feet actually hurt and I forgot to eat my backup lunch

8. 04/22/2022 Present sense impression of my attempts to document the CAO's abrupt withdrawal of accommodations for me while navigating the resulting demand that push through to make 40 hours in addition to doctor's visits and the progression of my illness (Ex. 731-761). Supporting exhibits: Ex.827-841, 865-871, 876. References: ECF 8-1(¶44-45, ¶53-57, ¶229-237).

10:39:34 PM Assata: Also trying to get hr to request pto time in writing but Diana was so vague and if I ask * her* clarifying questions Judy could use email to throw her under bus later like last time

11:12:03 AM Joren: Please take your time today. Please pull coolant flow assembly from 150 and heat exchangers too if possible.

12:59:20 PM Assata: A-1720

12:41:57 PM Joren: Thanks! Please put them all together in a box. After my meeting I'll pick it up

12:52:53 PM Joren: What's the pn on the flow assembly?

12:59:16 PM Assata: ?

12:59:26 PM Assata: A-01720

12:59:52 PM Joren: Thanks!

1:29:02 PM Assata: Keys missing

1:29:05 PM Assata: Gotta go

1:29:33 PM Assata: Coordinating a ride

1:40:37 PM Joren: Ok

1:40:46 PM Joren: Be safe.

1:42:56 PM Joren: Hope you're okay. Let me know if you want me to look

1:45:20 PM Assata: Im Going in and out of heat flashes and every time I move or move my head I'm getting paid fully dizzy.

1:45:41 PM Assata: idk where my keys are ivw been searching back and forth for a while.

1:45:48 PM Assata: the floor in the back is comfortably cold.

1:45:53 PM Assata: I'm going to be ok

1:46:01 PM Joren: Yeah. Ok. Go go go

8:56:31 PM Joren: Checking in if you got home or somewhere safe. Haven't heard from you.

8:56:47 PM Joren: Good luck with the MRI tomorrow.

10:32:17 PM Assata: Hi

10:32:50 PM Assata: I'm home. I typed up the issue to my doctor but got a bit weak and passed out.

10:33:28 PM Assata: bacons been watching me. Im gonna order food jic so I don't burn anything. Tha k you for luck!

10:39:34 PM Assata: Also trying to get hr to request pto time in writing but Diana was so vague and if I ask * her* clarifying questions Judy could use email to throw her under bus later like last time

10:40:40 PM Assata: but that's another issue in itself. Gonna put in hours and idk send Judy another email stating that. Apparently my doctor sent forms over today.

11:31:38 PM Joren: Okay. I think I follow. Please let me know if I can help in any way.

9. **04/25/2022 Excited utterance from myself to my supervisor about the stark difference in the accommodation requested by my doctor from the activities and strain I had felt pressured to continue or even from the unpaid PTO I had requested (Ex.762). References: Ex. 872-875, ECF 8-1(¶144-45, ¶153-57, ¶229-237),**

3:31:10 PM Assata: I just saw the accommodations form. Looks strict af idk why or what I'd even request over what the doctor wrote

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ASSATA ACEY,

Plaintiff

v.

INDUCTEV,

Defendant.

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CIVIL ACTION

No. 2:23-1438

Verification of Service

Letter is to confirm that:

I submitted my third Brief in support of Doc 15 (Response to Defendant's Motion to Dismiss) through the Pro Se EDS (Electronic Documents Submission) on 01/30/2024 at 10:30 PM. This was subsequently filed by court staff via entry onto the ECF (Electronic Case Filing) system, at which time service of Defendant was made complete through ECF's Notice of Electronic Filing.

Sincerely,

/s/ Assata Acey Hackman

Assata Acey Hackman (Pro Se)

5121 Brown St,

Philadelphia, PA 19139

aceyassata@gmail.com

770-231-1017

Date: 01/30/2023

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ASSATA ACEY,

Plaintiff

v.

INDUCTEV,

Defendant.

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CIVIL ACTION

No. 2:23-1438

PROPOSED ORDER

AND NOW, this ____ day of _____, 2024, upon consideration of Plaintiff Assata Acey's Brief, her prior submissions to the case record, and any response thereof, it is hereby **ORDERED** that:

1. The Defendant's Motion to Dismiss (Doc 10) has been DENIED AND
2. Summary Judgement has been granted in favor of the Plaintiff.

BY THE COURT:

GENE E. K. PRATTER
UNITED STATES DISTRICT JUDGE